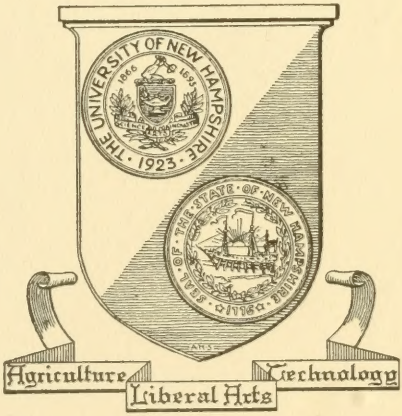
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JOURNAL

OF THE

HONORABLE SENATE

JANUARY SESSION OF 1937

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HONORABLE SENATE

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WEDNESDAY, JANUARY 6, 1937.

At eleven o'clock in the forenoon of the first Wednesday in January in the year of Our Lord, One Thousand Nine Hundred and Thirty-Seven, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the following named persons elected Senators assembled in the Capitol in the City of Concord in said State, and His Excellency the Honorable Charles M. Dale, Acting Governor, having come into the Senate Chamber, took and subscribed the oaths of office and were duly qualified as Senators agreeably to the provisions of the Constitution, namely:

Dist. No.	1.	Emmet J. Kelley
	2.	Lula J. A. Morris
	3.	John B. Eames
	4.	Scott C. W. Simpson
	5.	Alfred W. Guyer
	6.	George C. Stafford
	7.	Anson C. Alexander
	8.	Howard H. Hamlin
	9.	Allen M. Freeman
	10.	William B. Hanson
	11.	Don W. Randall
	12.	Philip C. Heald
	13.	Arthur O. Burque

Dist. No. 14. Charles F. Eastman
15. Robert O. Blood
16. Allan M. Wilson
17. Denis F. Mahoney
18. J. Vincent Moran
19. J. Felix Daniel
20. Haven Doe
21. Austin L. Calef
22. William M. Cole
23. Arthur J. Conner
24. Charles A. Allen

His Excellency, the Acting Governor, withdrawing, the Senate was called to order by Benjamin F. Greer, Clerk of the 1935 Session of the Senate.

The Clerk stated that the first business was the election of a temporary presiding officer.

On motion of Senator Hamlin, seconded by Senator Stafford, Senator Cole was chosen temporary presiding officer.

The Clerk requested Senators Hamlin and Daniel to conduct the temporary presiding chairman to the Chair.

The Senate proceeded to the choice of a President by ballot with the following result:

Whole number of votes cast	24
Necessary for choice	13
Honorable Haven Doe had	8
Honorable Anson C. Alexander had	16

and the Honorable Anson C. Alexander having received a majority of all the votes cast was declared elected.

On motion of Senator Doe, the election of Senator Alexander was made unanimous.

The Chair requested Senators Morris, Doe and Heald to escort the President to the Chair.

The President having assumed the Chair addressed the Senate as follows:

Mr. Chairman—Senators:

I thank you for the honor you have conferred upon me.

In accepting this high office I fully appreciate its responsibilities. With your united co-operation I hope to discharge the duties of President of the Senate in such a manner as to merit your approval and to bring lasting benefit to the people of our state, whose servants we are.

The State of Missouri has taken for its motto the Latin phrase "Salus populi suprema est lex"—"The welfare of the people is the highest law," thus tersely stating a theory of government which dominated the minds and influenced the acts of the fathers of the republic. In those days legislative bodies held themselves to be strictly accountable to the people for the right use of the powers entrusted to them. It was a recognized fact that in government, as in business, a wise control must be exercised over expenditures, if either is to survive.

For a century or more economy was the watch-word of our statesmen. Retrenchment in the cost of government was featured in every political platform as the one thing above all others to be desired. Political action lost much of its effect unless it was associated with economy. Those of our Senators and Representatives who proved themselves the most loyal and devoted to a "government economically administered"—a phrase which in those days was more than a pre-election catch-word—were considered the most capable of our public servants and deviation from this ideal meant disaster to personal ambition.

It would be gratuitous to endeavor to point out how far we have departed from this standard. The facts are patent to every observer. Our interest as members of the Senate, the last and highest step in legislative procedure, is to devote ourselves to a serious inquiry as to the state's necessary obligations to make sure that the money is found to pay such obligations without increasing the state's indebtedness.

To do this, I believe, we should cut down the cost of

administration and husband our resources in order to make every dollar of the peoples' money do a full dollar's work. Waste is abhorrent to New England thought and always has been. For more than a century New Hampshire Legislators never appropriated a dollar which was not in hand or easily in sight. As the crusaders fought centuries ago for recovery of the Holy Land from infidel possession, so with the same stubborn zeal must we fight for a return to our early ideals of a pay-as-you-go government, not alone on paper but in reality.

This creed should bind together in generous co-operation all who are willing to devote their time and energy in an effort to make our government what the fathers intended it to be—a depository of benefits which, in equal current and volume, shall flow out to all the people of the state.

Every member of the Senate should be politician enough to bring himself within the true meaning of the term, as one who concerns himself with "the regulation or government of a nation or state for the preservation of its safety, peace and prosperity." This is politics in its best sense, and this is good citizenship.

This creed should teach the steadfast refusal to make opportunity an occasion for seizing special advantages, and should warn against the danger of rapacity. It should deprecate extravagance and demand the management of public funds with strict economy, on the same basis as that of a successful business enterprise. Honest and efficient government and just legislation constitute the best standards of political conduct. Respect for the law is the element that cements the fabric of organized society anad makes possible a representative government where men may reap what they sow and enjoy the just rewards of industry and frugality. This ideal should be and, I am sure, is our aim.

In my judgment, these are the ideals on which the welfare of the people who sent us here depend.

In 1776 the old Liberty bell, from its belfry in Independence Hall, in clarion tones, pealed forth glad tidings to

the whole earth. A nation was born! The old Granite State was one of the indestructible pillars in this citadel of religious and civic liberty. She sent forth her sons and daughters into all parts of our country to lay the foundations for that new civilization—that new liberty. In war and peace, in prosperity or adversity, New Hampshire has continued to sound the tocsin of freedom from its birth to the present time. And so long as our government shall live, she will continue to proclaim that same liberty throughout all the land unto all the inhabitants thereof.

Fellow Senators! It is a great privilege as well as a supreme honor for us to serve such a state.

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That Benjamin F. Greer, as clerk, be elected by acclamation; that Frank M. Ayer as assistant clerk, be elected by acclamation; that Raymond B. Lakeman as sergeant-at-arms, be elected by acclamation; that Benjamin H. Bragg as messenger, be elected by acclamation; that William W. Allen as doorkeeper, be elected by acclamation; and that Benjamin F. Greer, Frank M. Ayer, Raymond B. Lakeman, Benjamin H. Bragg and William W. Allen are hereby elected for the several positions named, respectively.

Thereupon Benjamin F. Greer, Frank M. Ayer, Raymond B. Lakeman, Benjamin H. Bragg and William W. Allen appeared, signified their acceptance of the office to which they were elected respectively and were duly sworn to the faithful discharge of their duties before the President.

A true record:

BENJAMIN F. GREER,
Clerk for 1935-1936.

A true copy. Attest:

BENJAMIN F. GREER,
Clerk for 1935-1936.

On motion of Senator Doe, the following resolution was adopted:

Resolved, That until otherwise ordered, the Senate will meet at 11 o'clock in the forenoon and at 2 o'clock in the afternoon.

On motion of Senator Cole, the following resolution was adopted:

Resolved, That the Secretary of State be requested to furnish the Senate the official returns of votes from the various Senatorial districts of the State.

On motion of Senator Calef, the following resolution was adopted:

Resolved, That the return of votes in the several Senatorial Districts be referred to a select committee of three with instructions to examine and count the same, and report to the Senate whether any vacancies exist and if so, in what Senatorial Districts.

The President appointed as members on such committee Senators Guyer, Doe and Heald.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the House of Representatives be informed that the Senate having assembled, has organized by the choice of Anson C. Alexander, as president, Benjamin F. Greer, as clerk, Frank M. Ayer, as assistant clerk, Raymond B. Lakeman, sergeant-at-arms, Benjamin H. Bragg, as messenger, and William W. Allen, as doorkeeper, and is now ready to proceed with the business of the session.

On motion of Senator Kelley, the following resolution was adopted:

Resolved, That the Clerk of the Senate be authorized to furnish at the expense of the State, during the session of 1937, two such daily newspapers printed within the State to the members and officers of the Senate as such members and officers may select and to the Governor and Council.

On motion of Senator Heald, the following resolution was adopted:

Resolved, That the Clerk be instructed to procure the

services of two stenographers, one for the judiciary committee, and one as an assistant for the Clerks of the Senate, each to perform such duties as may be assigned to her.

Pursuant to the foregoing resolution, the Clerk appointed Mrs. Bessie Callaghan of Manchester, and Mrs. Ruth Cotton of Lebanon as stenographers for the session.

On motion of Senator Guyer, the following resolution was adopted:

Resolved, That the President be authorized to appoint an assistant messenger, and a telephone messenger for the ensuing year.

The Senate took a recess subject to the call of the Chair.

The Senate called to order.

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That the rules of the Senate for the last session be the rules of the Senate for the present session until otherwise ordered.

On motion of Senator Moran, the following resolution was adopted:

Resolved, by the Senate, the House of Representatives concurring, that the joint rules of the last session of the Legislature be the joint rules of this session until otherwise ordered.

On motion of Senator Simpson, the following resolution was adopted:

Resolved, That all bills and joint resolutions reported by the Committees, with the exception of new bills originating in the Committees, shall be handed to the Clerk, who shall cause a list of said bills and joint resolutions to be published in the Appendix to the daily journal, together with a report of the Committee, previous to their presentation to the Senate.

On motion of Senator Morris, the following resolution was adopted:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in Joint

Convention for the purpose of canvassing the votes for Governor and Councilors agreeably to the provisions in the Constitution at two o'clock this afternoon, and for the election of a Secretary of State, State Treasurer, and Commissary General.

On motion of Senator Doe, the Senate adjourned.

AFTERNOON

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following resolutions:

Resolved, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Oren V. Henderson as Speaker, Harrie M. Young as Clerk, Cyril J. Fretwell as Assistant Clerk, Francis H. Buffum as Reading Clerk and Guy S. Neal as Sergeant-at-Arms, and is now ready to proceed with the business of the session.

Resolved, That the House of Representatives will be ready to meet the Honorable Senate at two o'clock today for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make.

Resolved, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in joint convention for the purpose of canvassing the votes for Governor and Councilors, agreeably to the Constitution and for the election of a Secretary of State, State Treasurer and Commissary General at two o'clock this afternoon.

(See House proceedings)

On return to Senate Chamber, Senate called to order.

On motion of Senator Hamlin, the Senate adjourned.

THURSDAY, JANUARY 7, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following concurrent resolution in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, By the House of Representatives, the Senate concurring that a committee of two on the part of the House and one on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate as early as possible.

On motion of Senator Doe, the foregoing resolution was adopted.

Pursuant to the above resolution, the President appointed as member on part of the Senate Senator Doe.

The message further stated that the House has passed the following resolution:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11:50 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such business as may properly come before such convention.

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message, at 11:50 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the

transaction of any other business that may properly come before such convention. Agreeably to the foregoing resolution the Senate met the House of Representatives in joint convention.

(See House proceedings)

On return to the Senate Chamber, Senator Wilson assumed the Chair.

On motion of Senator Cole, the following resolution was adopted:

Whereas, the Interstate Assembly has been called by the Council of State Governments and the American Legislators' Association, to be held on Thursday, Friday, Saturday and Sunday, January 21 to 24, 1937, inclusive, at the Mayflower Hotel, Washington, D. C., to consider Federal and State tax policies on the basis of the recommendations submitted by the Interstate Commission on Conflicting Taxation, which was established four years ago by the First Assembly; and

Whereas, it is apparent that substantial benefits would result from closer contacts between the Legislative and Administrative Divisions of the various State Governments, and that many governmental difficulties are aggravated by the absence of adequate facilities for conference between these bodies; and

Whereas, the present economic emergency creates an imperative necessity now emphasized by the President's Program of Economic Security for joint council and concerted action; and

Whereas, it is believed that the moment has now arrived for establishing adequate means for communication and conference between the States and the Federal Government; and

Whereas, the Senate of this State is invited to send as its delegates to this conference a delegation of its members, to be chosen in such manner as this body may determine; therefore

Be it resolved, That the Senate of the State of New Hampshire hereby authorizes and instructs the President to appoint two members in addition to himself as a delegation to the Interstate Assembly, which convenes in Washington, D. C., on January 21, 1937. Such delegation shall be without power to commit the Senate to action; and

Be it further resolved, That the said delegation shall be entitled to reasonable reimbursement for its reasonable expenses upon presentation of the proper statement of such expenses; and

Be it further resolved, That the Clerk of the Senate immediately advise the corresponding secretary of the conference in care of the American Legislators' Association, Drexel Avenue and Fifty-eighth Street, Chicago, Illinois, of the appointment of such delegation.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, JANUARY 8, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 8, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JANUARY 11, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 11, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER.
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JANUARY 12, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Wilson was granted leave of absence on account of important business.

The Honorable Enoch D. Fuller, Secretary of State, appeared and presented the returns of votes for Senators from the various senatorial districts as returned to the Secretary's Office.

COMMITTEE REPORT

The select committee to whom was referred the returns of votes for Senators from the several districts having

attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, reports that he finds the state of the vote returned from the several districts as follows:

First District

Fred R. Oleson, Berlin, r	3,219	
Emmet J. Kelley, Berlin, d	4,289	
Edward J. Legassie, Berlin, f-l	742	
Plurality for Kelley		1,070

Second District

Lula J. A. Morris, Lancaster, r	3,819	
Ernest E. Whitcomb, Dalton, d	2,917	
Plurality for Morris		902

Third District

John B. Eames, Littleton, r	5,379	
Anthony Burgault, Lyman, d	3,620	
Plurality for Eames		1,759

Fourth District

Scott C. W. Simpson, Bartlett, r	5,036	
Harold B. Trask, Tamworth, d	2,628	
Plurality for Simpson		2,408

Fifth District

Alfred W. Guyer, Hanover, r	5,712	
Joseph Tighe, Canaan, d	3,491	
Plurality for Guyer		2,221

Sixth District

George C. Stafford, Laconia, r	5,895	
Charles N. Roberts, Meredith, d	3,634	
Plurality for Stafford		2,261

Seventh District

Anson C. Alexander, Boscawen, r	4,486	
Harry W. Matott, Concord, d	4,195	
Plurality for Alexander		291

Eighth District

Howard H. Hamlin, Claremont, r	5,098	
John J. Condon, Newport, d	4,841	
Plurality for Hamlin		257

Ninth District

Allen M. Freeman, Concord, r	4,990	
Oscar A. Colburn, Newbury, d	2,883	
Plurality for Freeman		2,107

Tenth District

William B. Hanson, Gilsum, r	4,646	
John W. Prentiss, Walpole, d	3,108	
Plurality for Hanson		1,538

Eleventh District

Don W. Randall, Troy, r	4,104	
James S. Kellom, Winchester, d	3,134	
Plurality for Randall		970

Twelfth District

Philip C. Heald, Wilton, r	5,557
Robert J. Doyle, Nashua, d	3,270
Plurality for Heald	2,287

Thirteenth District

Lyman W. Hills, Nashua, r	1,906
Arthur O. Burque, Nashua, d	7,579
Plurality for Burque	5,673

Fourteenth District

Francis H. Buffum, Dunbarton, r	4,203
Charles F. Eastman, Weare, d	4,449
Plurality for Eastman	246

Fifteenth District

Robert O. Blood, Concord, r	3,853
Edward B. Haskell, Concord, d	2,957
Plurality for Blood	896

Sixteenth District

Allan M. Wilson, Manchester, r	3,413
James M. Kirby, Manchester, d	3,000
Plurality for Wilson	413

Seventeenth District

George H. Sander, Manchester, r	3,139
Denis F. Mahoney, Manchester, d	3,738
Plurality for Mahoney	599

Eighteenth District

John H. Irving, Manchester, r	1,881
J. Vincent Moran, Manchester, d	7,821
Plurality for Moran	5,940

Nineteenth District

Arthur J. Provencher, Manchester, r	1,355
J. Felix Daniel, Manchester, d	2,866
Joseph W. Remillard, Manchester, ind ..	156
Plurality for Daniel	1,511

Twentieth District

Conrad E. Snow, Rochester, r	4,355
Haven Doe, Somersworth, d	5,977
Plurality for Doe	1,622

Twenty-first District

Haldimand W. Neal, Dover, r	3,719
Austin L. Calef, Barrington, d	4,934
Newton L. Carroll, Dover, f-l	31
Plurality for Calef	1,215

Twenty-second District

William M. Cole, Derry, r	7,021
George McCauley, Londonderry, d	4,529
Plurality for Cole	2,492

Twenty-third District

Arthur J. Conner, Exeter, r	6,260
Harold E. Dickinson, Kensington, d	2,642
Plurality for Conner	3,618

Twenty-fourth District

Charles A. Allen, Portsmouth, r	4,661
Frederick M. Pickering, Newington, d ..	4,591
Plurality for Allen	70

On motion of Senator Blood, the following resolution was adopted:

Resolved, That the standing rules of the Senate be amended by striking out the whole of Rule No. 24 and inserting in place thereof the following:

The following standing committees, to consist of five members each, unless otherwise stated, shall be appointed at the commencement of any session: a Committee on Agriculture; a committee on State Prison and Industrial School; a Committee on Banks; a Committee on Claims and Incorporations; a Committee on Education; a Committee on Elections; a Committee on Fisheries and Game; a Committee on Forestry; a Committee on Finance; a Committee on Insurance; a Committee on the Judiciary, to consist of seven members; a Committee on Labor; a Committee on Liquor Laws; a Committee on Military Affairs and Soldiers' Home; a Committee on Public Health; a Committee on Transportation; a Committee on Revision of Laws; a Committee on Public Improvements, to consist of nine members; a Committee on State Hospital and Laconia State School; a Committee on Towns and Counties; a Committee on University of New Hampshire and Normal Schools; a Committee on Ways and Means, to consist of seven members. There shall also be a Committee on Rules, to consist of three members, one of whom shall be the President.

Pursuant to the resolution offered by Senator Cole relating to the Interstate Legislative Assembly, the President appointed as members on the part of the Senate Senators Freeman and Cole.

RECESS

The Senate re-assembled.

STANDING COMMITTEES

The President directed that the Clerk have printed in the Journal the following standing and standing joint committees of the Senate:

Agriculture.—Senators Heald, Hanson, Hamlin, Blood, Eastman.

Banks.—Senators Guyer, Wilson, Heald, Burque, Conner.

Claims and Corporations.—Senators Kelley, Stafford, Conner, Moran, Hamlin.

Education.—Senators Morris, Simpson, Allen, Conner, Burque.

Elections.—Senators Randall, Allen, Cole, Kelley, Daniel.

Finance.—Senators Blood, Heald, Guyer, Calef, Conner.

Fisheries and Game.—Senators Cole, Eames, Allen, Mahoney, Hanson.

Forestry.—Senators Randall, Calef, Morris, Guyer, Eames.

Insurance.—Senators Freeman, Hamlin, Mahoney, Simpson, Randall.

Judiciary.—Senators Wilson, Cole, Doe, Morris, Freeman, Simpson, Kelley.

Labor.—Senators Heald, Freeman, Randall, Stafford, Mahoney.

Liquor Laws.—Senators Freeman, Hanson, Wilson, Allen, Daniel.

Military Affairs and Soldiers' Home.—Senators Cole, Blood, Eames, Daniel, Hamlin.

Public Health.—Senators Blood, Morris, Burque, Simpson, Moran.

Public Improvements.—Senators Hanson, Guyer, Cole, Calef, Randall, Eames, Stafford, Eastman, Mahoney.

Transportation.—Senators Stafford, Calef, Cole, Hanson, Heald.

Revision of Laws.—Senators Hamlin, Heald, Hanson, Stafford, Moran.

State Hospital and Laconia State School.—Senators Doe, Blood, Morris, Freeman, Daniel.

State Prison and Industrial School.—Senators Conner, Doe, Simpson, Randall, Stafford.

Towns and Counties.—Senators Eames, Hamlin, Guyer, Kelley, Eastman.

University of New Hampshire and Normal Schools.—Senators Calef, Wilson, Guyer, Morris, Hanson.

Ways and Means.—Senators Simpson, Freeman, Doe, Wilson, Heald, Burque, Blood.

Coastwise Improvements.—Senators Allen, Cole, Eames, Eastman, Guyer.

JOINT STANDING COMMITTEES.

Joint Rules.—President Alexander, Senators Wilson, Doe.

Engrossed Bills.—Senators Morris, Doe.

State House and State House Yard.—Senator Moran.

State Library.—Senator Simpson.

RULES OF THE SENATE.

1. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, if ordered by the president or called for by any other member, and any erroneous entry shall be corrected.

2. No member shall hold conversation with another during the reading of the journal, or while a member is speaking in debate.

3. Every member, rising to speak, shall address the president and when he has finished shall sit down.

4. No member shall speak more than twice on the same question, on the same day, without leave of the Senate.

5. More than one member rising to speak at the same time, the president shall decide who shall speak first.

6. If any member transgress the rules of the Senate, the president shall, or any member, may, call him to order; in which case the member so called to order shall sit down, and the Senate, if appealed to, shall decide the case but if there be no appeal, the decision of the president shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. A motion shall be seconded before it is debated; and if required by the president or any member, it shall be reduced to writing.

9. When any question is under debate; no motion shall be received, but, first, to adjourn; second, to lay on the table; third, for the previous question; fourth, to postpone indefinitely; fifth, to postpone to a certain day; sixth, to commit; seventh, to amend; which several motions shall have precedence in the order in which they are arranged. No motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or proposition, until after an adjournment.

10. If the question under debate will admit of division, any member may have it divided; and, in filling blanks, the longest time and the largest sum shall be put first.

11. When the reading of a paper is called for, and the same is objected to, it shall be decided by a vote of the Senate, and without debate.

12. When the yeas and nays are required, each member shall declare his assent or dissent to the question, unless for special reasons he be excused by the Senate.

13. When a motion is made to shut the doors of the Senate, on the discussion of any business which in the opinion of any member may require secrecy, the president shall

require the gallery to be closed; and the doors shall remain closed until the subject is disposed of.

14. After a motion has been decided, it shall be in order for any member who voted with the majority, or if the Senate be equally divided, any member voting on the side prevailing, to move for a reconsideration thereof, unless the bill, resolution, report, amendment, or motion on which the vote was taken has gone from the possession of the Senate; but no motion to reconsider shall be in order unless made the same day on which the vote was taken or the next day after that on which the vote was taken, on which the Senate shall be in session.

15. Before any petition or memorial address to the Senate shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. Every bill shall be read three times before its passage and the president shall give notice at each time whether it be the first, second or third reading; each reading of the bill shall be by title only unless there is a request from any member of the Senate for the full reading of the bill; no bill after it has been read a second time shall have a third reading before an adjournment.

17. All resolutions which may require the signature of the governor shall be treated in the same manner as bills.

18. When a bill shall have been read a first time and ordered to a second reading, it shall be immediately read a second time by its title, and by the president referred to the appropriate standing committee, unless otherwise ordered by the Senate.

19. All bills introduced in the Senate, to repeal or modify an existing statute, shall refer to the act proposed to be repealed or modified by the title and session at which it was passed, and no bill shall refer to any statute by the number of the chapter of the pamphlet laws.

20. The Senate may resolve itself into a committee of

the whole at any time on motion made for that purpose; and in forming a committee of the whole, the president shall leave the chair, and may appoint a chairman to preside in committee. The president may at any time name any member to perform the duties of the chair; but such substitution shall not extend beyond one legislative day.

21. The last question, upon the second reading of a bill or resolution, shall always be, Shall it be read a third time? and no amendment shall be received or discussed on the third reading of any bill or resolution unless by consent of sixteen members present, but it shall at all times be in order, before the final passage of a bill or resolution, to move its commitment; and should such commitment take place, and an amendment be reported, the bill or resolution shall again be read a second time, and considered as in committee of the whole.

22. The titles of bills, and such parts thereof as may be affected by proposed amendment, shall be entered on the journals.

23. All bills, resolutions, and addresses, after passing the Senate, shall be signed by the president and all warrants and other processes issued by order of the Senate shall be under his hand and seal attested by the clerk.

24. The following standing committees, to consist of five members each, unless otherwise stated, shall be appointed at the commencement of any session; a Committee on Agriculture; a Committee on State Prison and Industrial School; a Committee on Banks; a Committee on Claims and Incorporations; a Committee on Education; a Committee on Elections; a Committee on Fisheries and Game; a Committee on Forestry; a Committee on Finance; a Committee on Insurance; a Committee on the Judiciary, to consist of seven members; a Committee on Labor; a Committee on Liquor Laws; a Committee on Military Affairs and Soldiers' Home; a Committee on Public Health; a Committee on Transportation; a Committee on Revision of

Laws; a Committee on Public Improvements, to consist of nine members; a Committee on State Hospital and Laconia State School; a Committee on Towns and Counties; a Committee on University of New Hampshire and Normal Schools; a Committee on Ways and Means, to consist of seven members. There shall also be a Committee on Rules, to consist of three members, one of whom shall be the President.

25. All committees shall be appointed by the president, unless otherwise directed by the Senate.

26. When the Senate shall concur with the House of Representatives in the appointment of a joint committee, consisting of not more than five members of the House, two members shall be added on the part of the Senate, but when more than five, three members of the Senate shall be added.

27. Messages shall be sent to the House of Representatives by the clerk of the Senate.

28. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting the question, in calling the yeas and nays, in counting the ballots, or in reading the journal.

29. All questions shall be put by the president, and each member of the Senate shall signify his assent or dissent by answering yea or nay. If the president doubts, or a division is called for, the Senate shall divide. Those in the affirmative of the question shall first rise from their seats and stand till they be counted. The president shall then rise and state the decision of the Senate.

30. No person except the members of the executive, or members of the House of Representatives and its officers, shall be admitted within the bar of the Senate, except by invitation of the president, or some member with his consent.

31. The Senate shall adjourn to meet at eleven o'clock in the morning and two o'clock in the afternoon of each day unless the Senate shall otherwise order.

32. Motions to adjourn, to lay on the table, for the previous question, and to take from the table, shall be decided without debate.

33. No standing rule of the Senate shall be suspended unless two-thirds of the members present vote in favor thereof, and no rule shall be rescinded unless one day's notice of the motion has been given and two-thirds of those present vote therefor.

34. Each bill and joint resolution, except private acts, originating in the Senate shall be declared by the president to be laid upon the table, and the clerk directed to procure a sufficient number of printed copies thereof for the use of the Senate, and cause the same to be distributed to the members, and when so printed and distributed the bill shall be immediately delivered to the committee to which it shall have been referred. Every bill or joint resolution so introduced shall be headed "Senate Bill" or "Senate Joint Resolution," as the case may be.

Every bill and joint resolution appropriating money, which has been favorably reported by another committee, shall be recommitted to the Committee on Finance for revision.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Morris, the Senate adjourned.

WEDNESDAY, JANUARY 13, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following

entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 8, An act relating to the date of the town meeting in the Town of Bethlehem.

INTRODUCTION OF BILLS

Senator Daniel introduced the following entitled bills and joint resolution, which were read a first and second time, laid on the table to be printed and referred:

To the Committee on the Judiciary:

Senate Bill No. 1, An act relating to motor vehicles owned by the State.

Senate Bill No. 2, An act relating to the liability of operators of motor vehicles on public highways.

Senate Bill No. 3, An act relating to the sale of appliances by public utilities.

Senate Bill No. 4, An act relating to the appointment of an Assistant Attorney-General in charge of criminal prosecutions.

Senate Bill No. 6, An act providing for old age pensions and means of defraying the expense thereof and the expense for providing assistance to aged and dependent persons under Chapters 20 and 127, Laws of 1935.

Senate Joint Resolution No. 1, Joint Resolution authorizing an investigation into the Congressional Election for the First District held on November 3rd, 1936, to determine its regularity, the handling of the ballots cast at said election by various officials, the recount held and the proceedings of the Ballot Law Commission relative to the same.

To the Committee on Revision of Laws:

Senate Bill No. 5, An act relating to employers' liability and Workmen's Compensation.

Senator Moran introduced the following entitled bills, which were read a first and second time, laid on the table to be printed and referred:

To the Committee on Revision of Laws:

Senate Bill No. 7, An act relating to liability for support of aged and dependent persons and the age limitation imposed for old age assistance.

To the Committee on the Judiciary:

Senate Bill No. 8, An act relating to the qualification of voters and the right of paupers to vote.

Senator Hamlin introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 9, An act establishing Commissioner Districts in the County of Sullivan.

Senator Cole introduced the following entitled bills, which were read a first and second time, laid on the table to be printed and referred:

To the Committee on the Judiciary:

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

To the Committee on Public Improvements:

Senate Bill No. 11, An act to provide for the erection of a State Office Building in Concord.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 8, An act relating to the date of the town meeting in the Town of Bethlehem.

Senator Hanson moved that the rules be suspended and reference to committee be dispensed with and the foregoing bill be ordered to a third reading at the present time.

(Discussion ensued)

Senator Hanson withdrew his motion.

COMMITTEE REPORT

Senator Doe for the Committee to whom was referred the assignment of rooms by the President, the standing committees of the Senate and joint standing committees of the Senate and House, reported the following resolution:

Resolved, That the assignment of rooms to the several committees of the Senate and the joint standing committees of the Senate and House be as follows:

STANDING COMMITTEES OF THE SENATE, 1937

Agriculture,—Room 120, Department of Agriculture. Senators Heald, Hanson, Hamlin, Blood, Eastman.

Banks,—Room 302, Bank Commission. Senators Guyer, Wilson, Heald, Burque, Connor.

Claims and Incorporations,—Room 316, Investigation. Senators Kelley, Stafford, Connor. Moran. Hamlin.

Education,—Room 300, Patriot Building. Senators Morris, Simpson, Allen, Connor, Burque.

Election,—Senate Gallery. Senators Randall, Allen, Cole, Kelley, Daniel.

Finance,—Room 105, State Treasurer. Senators Blood, Heald, Guyer, Calef, Connor.

Fisheries and Game,—Room 203, Superintendent's Office. Senators Cole, Eames, Allen, Mahoney, Hanson.

Forestry,—Room 304, Patriot Building. Senators Randall, Calef, Morris, Guyer, Eames.

Insurance,—Room 113, Insurance Commission. Senators Freeman, Hamlin, Mahoney, Simpson, Randall.

Judiciary,—Room 314, Attorney General. Senators Wilson, Cole, Doe, Morris, Freeman, Simpson, Kelley.

Labor,—Room 306, Department of Labor. Senators Heald, Freeman, Randall, Stafford, Mahoney.

Liquor Laws,—Patriot Building, Rooms of Liquor Commission. Senators Freeman, Hanson, Wilson, Allen, Daniel.

Military Affairs and Soldiers' Home,—Room 102,

Adjutant General. Senators Cole, Blood, Eames, Daniel, Hamlin.

Public Health,—Room 107, Board of Health. Senators Blood, Morris, Burque, Simpson, Moran.

Public Improvements,—Room 105, State Treasurer. Senators Hanson, Guyer, Cole, Calef, Randall, Eames, Stafford, Eastman, Mahoney.

Transportation,—Room 306, Department of Labor. Senators Stafford, Calef, Cole, Hanson, Heald.

Revision of Laws,—Room 314, Attorney General. Senators Hamlin, Heald, Hanson, Stafford, Moran.

State Hospital and Laconia State School,—Senate Stenographers' Room. Senators Doe, Blood, Morris, Freeman, Daniel.

State Prison and Industrial School,—Senate Stenographers' Room. Senators Connor, Doe, Simpson, Randall, Stafford.

Towns and Counties,—Room 314, Attorney General. Senators Eames, Hamlin, Guyer, Kelley, Eastman.

University of New Hampshire and Normal Schools,—Room 300, Patriot Building. Senators Calef, Wilson, Guyer, Morris, Hanson.

Ways and Means,—Room 212, Tax Commission. Senators Simpson, Freeman, Doe, Wilson, Heald, Burque, Blood.

Coastwise Improvements,—Senate Chamber. Senators Allen, Cole, Eames, Eastman, Guyer.

JOINT STANDING COMMITTEES

Joint Rules,—Room 204, Secretary of State. President Alexander, Senators Wilson, Doe.

Engrossed Bills,—Room 204, Secretary of State. Senators Morris, Doe.

State House and State House Yard,—Room 203, Superintendent's Office. Senator Moran.

State Library,—State Library. Senator Simpson.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for two o'clock this afternoon be made in order at the present time.

Pursuant to Chapter 145 of the Laws of 1935 relating to the New Hampshire Commission on Interstate Co-operation, the President has appointed as members of said committee on the part of the Senate Senators Alexander, Wilson, Cole, Freeman and Calef.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, JANUARY 14, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Eames was granted leave of absence on account of business.

ORDER VACATED

On motion of Senator Wilson, the order whereby Senate Bill No. 9, An act establishing Commissioner districts in the County of Sullivan, was referred to the Committee on the Judiciary, was vacated and the bill referred to the Committee on the Revision of Laws.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the membership of the Joint Standing Committee on State House and State House Yards be increased from one to five.

Pursuant to the foregoing resolution, the President appointed as members of said committee Senators Hamlin, Guyer, Randall, Freeman and Moran.

RESIGNATION

Senator Freeman resigned as member of the Committee on Ways and Means and his resignation was accepted by the President.

The President appointed to replace Senator Freeman on the committee Senator Hamlin.

INTRODUCTION OF BILL

Senator Daniel introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 12, An act to repeal Chapter 149 of the Laws of 1935 increasing the fees for permits to sell beverages.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon was made in order at the present time.

On motion of Senator Allen, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Simpson, the Senate adjourned.

FRIDAY, JANUARY 15, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 15, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JANUARY 18, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 18, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JANUARY 19, 1937.

The Senate met according to adjournment.

Senator Doe in chair.

LEAVE OF ABSENCE

Senator Eames was granted leave of absence for the week on account of illness.

APPOINTMENTS

Pursuant to a resolution previously offered, the President appointed the following attaches: Assistant Messenger, Charles C. Sargent, Telephone Messenger, Fred A. Rushlow.

INTRODUCTION OF BILLS

Senator Daniel introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred:

To the Committee on the Judiciary,

Senate Bill No. 13, An act relating to the furnishing of incandescent lamps by electric utilities.

Senate Bill No. 14, An act relating to the tenure of offices and employments.

Senate Bill No .15, An act limiting the rate of interest chargeable by finance companies.

To the Committee on Revision of Laws,

Senate Bill No. 16, An act relating to small loans.

On motion of Senator Wilson the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, JANUARY 20, 1937.

The Senate met according to adjournment.

Senator Blood in chair.

LEAVES OF ABSENCE

Senator Freeman was granted leave of absence for the balance of the week on account of important business.

Senator Cole was granted leave of absence for the balance of the week on account of important business.

Senator Randall was granted leave of absence for the balance of the week on account of important business.

INTRODUCTION OF BILLS

Senator Hamlin introduced the following entitled bill which was read a first and second time, laid upon the table

to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 17, an Act relating to inspectors of elections.

Senator Wilson introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 18, an Act amending the Charter of Manchester Turnverein and Gymnastical School.

On motion of Senator Wilson, the rules were suspended, printing and reference to Committee dispensed with and the Bill was read a third time and passed.

Senator Guyer introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 19, an Act relating to the duties of selectmen in warning town meetings.

Senator Daniel introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 20, an Act relating to electrical rates charged by utilities.

To the Committee on Liquor Laws:

Senate Bill No. 21, An act relating to the powers of the State Liquor Commission.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, JANUARY 21, 1937.

The Senate met according to adjournment.

Senator Heald in Chair.

LEAVES OF ABSENCE

Senators Kelley, Morris, Stafford, Burque, Wilson and Mahoney were granted leave of absence on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 18, An act amending the charter of the Manchester Turnverein and Gymnastical School.

INTRODUCTION OF BILLS

Senator Hamlin introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 22, An act to increase the salary of the Solicitor of Sullivan County.

Senator Daniel introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 23, An act making the municipal elections in the City of Manchester non-partisan.

Senator Daniel moved that the rules be suspended, printing and reference to Committee be dispensed with and the bill be ordered to a third reading at the present time.

(Discussion ensued)

Senator Blood demanded a roll call.

The Clerk proceeded to call the roll.

The following Senator voted in the affirmative: Senator Daniel.

The following named Senators voted in the negative: Senators Simpson, Guyer, Hamlin, Hanson, Eastman, Blood, Moran, Doe, Calef, Conner and Allen.

One Senator having voted in the affirmative and eleven Senators having voted in the negative, the negative prevailed and the motion to suspend the rules was lost.

Senator Calef introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game:

Senate Bill No. 24, An act relating to the closing of North River Lake in Northwood, Nottingham and Barrington to ice fishing.

On motion of Senator Guyer, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Simpson the Senate adjourned.

FRIDAY, JANUARY 22, 1937.

The Senate met according to adjournment.

There being manifestly no quorum present, President Alexander declared the Senate adjourned.

MONDAY, JANUARY 25, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 25, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JANUARY 26, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Morris was granted leave of absence on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam.

READ AND REFERRED

The following bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Fisheries and Game:

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam.

INTRODUCTION OF BILL

Senator Daniel introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 25, An act regarding liens on real estate.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Guyer, the Senate adjourned.

WEDNESDAY, JANUARY 27, 1937.

The Senate met according to adjournment.

Senator Wilson in Chair.

LEAVE OF ABSENCE

Senator Hanson was granted leave of absence for the rest of the week on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 9, An act authorizing the State Board

of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the County of Coos.

House Bill No. 22, An act providing for an extension of the act relative to the issuance with State guarantee of emergency notes and bonds by towns, cities and counties.

House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Public Health:

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

To the Committee on the Judiciary:

House Bill No. 20, An act relating to unemployment in the City of Berlin and in the County of Coos.

House Bill No. 22, An act providing for an extension of the act relative to the issuance with State guarantee of emergency notes and bonds by towns, cities and counties.

To the Committee on Revision of Laws:

House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home.

On motion of Senator Hamlin, the rules were suspended, reference to committee dispensed with and the foregoing bill was read a third time and passed.

INTRODUCTION OF BILLS

Senator Conner introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Senate Bill No. 26, An act relating to carriers of property for hire on the public highways.

Senator Guyer introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No .27, An act relating to the closing of polls at elections other than town meetings.

Senator Allen introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Senate Bill No. 28, An act relating to the taking of salt water smelt.

Senator Burque introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Banks.

Senate Bill No. 29, An act relating to building and loan associations.

On motion of Senator Burque, the following resolution was adopted:

Resolved, That the Clerk be instructed to procure five hundred additional copies of Senate Bill No. 29.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, JANUARY 28, 1937

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 4, An act relating to divorce.

House Bill No. 26, An act relating to bulky articles attachments.

The message further stated that the House of Representatives has passed the following concurrent resolution in the passage of which it asks the concurrence of the Honorable Senate:

CONCURRENT RESOLUTION

For the Observance of Lincoln's Birthday, February 12, 1937.

Resolved by the Senate and House of Representatives in General Court convened:

That the House of Representatives and the Senate of New Hampshire at the request of the Sesquicentennial Commission for the State of New Hampshire, in joint convention make observance of Lincoln's Birthday under date of February 11, 1937: that at that time the Legislature act as host to the Sesquicentennial Commisson for the State of New Hampshire, the Executive Department and general public to properly observe the birthday, and the contribution of New Hampshire in the adoption and maintenance of the Federal Constitution of the United States of America, and that the Speaker of the House and the President of the Senate be authorized to arrange for a suitable address.

On motion of Senator Doe, the Senate concurred in the foregoing resolution.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred to the Committee on Revision of Laws.

House Bill No. 4, An act relating to divorce.

House Bill No. 26, An act relating to bulky articles attachment.

INTRODUCTION OF BILLS

Senator Daniel introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 30, An act amending chapter 99 of the Laws of 1933, as amended by chapter 149 of the Laws of 1935, exempting the payment of certain fees imposed thereby upon the sale of beverages manufactured in this State.

Senator Heald introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 31, An act relating to regular meetings of towns and city planning boards.

Senator Wilson introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 32, An act authorizing the Newport School district to issue serial notes or bonds.

On motion of Senator Hamlin, the rules were suspended, printing and reference to Committee dispensed with, and the foregoing bill was read a third time and passed.

COMMITTEE REPORT

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Joint Resolution No. 1, Joint Resolution authorizing an investigation into the Congressional election for the First District held on November 3rd to determine its regularity, the handling of the ballots cast

at said election by various officials, the recount held and the proceedings of the Ballot Law Commission relative to the same, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the recommendation of the Committee adopted.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Bill:

Senate Bill No. 18, An act amending the charter of Manchester Turnverein and Gymnastical School.

On motion of Senator Freeman, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Mahoney, the Senate adjourned.

FRIDAY, JANUARY 29, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., January 29, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, FEBRUARY 1, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 1, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, FEBRUARY 2, 1937

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 14, An act relating to income of guardians.

House Bill No. 18, An act relating to emergency Public Works.

House Bill No. 50, An act relating to the penalty for aggravated assaults.

House Bill No. 58, An act relating to the taking of fox.

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 32, An act authorizing the Newport School District to issue serial notes or bonds.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on the Judiciary:

House Bill No. 14, An act relating to investments by guardians.

House Bill No. 18, An act relating to emergency Public Works.

House Bill No. 50, An act relating to the penalty for aggravated assaults.

To the Committee on Fisheries and Game:

House Bill No. 58, An act relating to the taking of fox.

Senator Cole moved that the rules be suspended, reference to Committee dispensed with and the bill be ordered to a third reading at the present time.

Discussion ensued.

On a *viva voce* vote the affirmative prevailed, the rules were suspended, reference to Committee dispensed with and the bill was ordered to a third reading at the present time.

The bill was read a third time and passed.

To the Committee on Revision of Laws:

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

INTRODUCTION OF BILLS

Senator Daniel introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 33, An act relating to certain charges by telephone utilities.

Senator Freeman introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 34, An act to amend chapter 329 of the Public Laws of New Hampshire.

Senator Wilson introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 35, An act creating uniform law commission.

Senator Burque introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 36, An act in amendment of chapter 251 of the Laws of 1887 entitled an act to incorporate L'Union St. Jean Baptiste Society in Nashua.

On motion of Senator Burque, the rules were suspended, printing and reference to Committee dispensed with, and the foregoing entitled bill was read a third time and passed.

Senator Eames introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 37, An act to prevent fraud, and misrepresentation in the sale of liquid fuels, lubricating oils

and similar products and to prevent adulteration of any such product.

COMMITTEE REPORTS

Senator Morris for the Committee on Judiciary, to whom was referred Senate Bill No. 2, An act relating to the liability of operators of motor vehicles on public highways, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being stated, shall the recommendation of the Committee be adopted?

DISCUSSION ENSUED

Senator Daniel demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Eames, Simpson, Guyer, Stafford, Hamlin, Freeman, Hanson, Randall, Heald, Burque, Eastman, Blood, Wilson, Mahoney, Moran, Doe, Calef, Cole, Conner and Allen.

The following named Senator voted in the negative: Senator Daniel. Twenty-one Senators having voted in the affirmative and one Senator in the negative, the recommendation of the Committee was adopted.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill: Senate Bill No. 32, An act authorizing the Newport School District to issue serial notes or bonds.

HAVEN DOE,
For the Committee.

On motion of Senator Guyer, President Alexander was requested to read his radio address.

Fellow Senators:

A comparison of the politicians and legislators of early days with those of the present day may be odious but historic facts are uncontrovertible. When Andrew Jackson rode to his inauguration as President of the United States on the back of a mule he gave effective expression to his characteristic disregard for the refinements of luxury as well as his determination to deal with realities rather than appearances. Hard-hitting, direct and positive in his opinions he recognized no middle course between right and wrong and gave no countenance to quibbling over issues of public concern. He represented the type of men who, in large measure, filled our legislative halls in the early days of the Nation's history.

The fiery utterances of Patrick Henry on the floor of the Richmond Convention on March 23rd, 1775, could have received no such tremendous ovation as that which greeted them had his hearers not been of like metal with himself. That dauntless spirit and unconquerable hope which fittingly expressed itself in the state motto of Massachusetts—"This and, hostile to tyrants, with the sword seeks peace in freedom"—carried a pitifully weak and poverty-stricken handful of colonists to a successful termination of a conflict with their powerful mother country, the mistress of the seas.

It gave cohesion to the articles of confederation which even the authors could not designate as much more binding than a rope of sand.

Later on, when the pillers of the republic seemed about to crumble it held a union together through four years of internal strife in which the odds too often seemed in favor of the forces of disintegration.

We of today who look back upon these early struggles marvel at the almost miraculous power of the ideals that dominated the minds of our early legislators.

It was an empire of thoughts in which intellectual giants

battled for clean-out principles and thought no sacrifice too great to offer on the altar of patriotic devotion.

Are we not sometimes puzzled today to find a definition for patriotism which will not provoke an incredulous smile or the suspicion that we are in our dotage? Expediency, the domination of special interest, the leaning toward paternalism in government, the insidious tampering with constitutional guaranties and the unmistakable evidence of greed and graft in legislatures, these are the subtle forces that are burrowing deeper and deeper into the foundations of our national life.

Vast numbers of bills are rushed through our legislatures today by members who often fail to realize the true meaning of them. We should call a halt on many of these bills. They waste the time of the legislators and if enacted fill our law books with worthless enactments causing often the man of the street to speak of law with a sneer and broadly hint that the courts are only for the rich.

Somehow we must get back to the bed-rock upon which our republic rests. We must engrave upon its surface the words, "no government can survive that is not founded upon the natural rights of men." The foundations of democracy lie in the character of the people themselves. They must have intelligence, the power which weighs evidence and draws sound conclusions: they must have integrity, at the basis of which is dignified self-respect and self-control; they must have a capacity for co-operation, the willingness and ability to organize and work together for the common good. These ideals constitute the true meaning of patriotism, the genius of self-government. My faith in the future of our country is dependent upon these foundations. With them we shall have full determination and ability to maintain and vitalize those principles which have formed the basis of our national character and our national success. We must consecrate ourselves to the faith that inspired those ideals. We must preserve individual freedom, individual

responsibility and the opportunity for individual achievement.

If you and I, and a small fraction of the people of our country, should become inspired by these great ideals which dominated the minds and hearts of our ancestors, we should no longer look for the rainbow of promises in the new deal or old deal, for a new day with its full orbed splendor of light would break upon our beloved land driving out the gloom of adversity and send contentment and happiness throughout all the land, unto all the people thereof.

RECONSIDERATION OF VOTE

On motion of Senator Wilson, the rules were so far suspended as to allow the reconsideration of a vote on Senate Bill No. 36, An act in amendment of Chapter 251 of the Laws of 1887 entitled, An act to incorporate L'Union St. Jean Baptiste Society in Nashua.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same Senator, the Senate voted to substitute Senate Bill No. 36, in new draft and new title, Senate Bill No. 36 (new draft and new title), An act to amend the Charter of L'Union St. Jean Baptiste Society in Nashua.

On motion of the same Senator, the rules were further suspended, printing and reference to committee of the foregoing entitled bill dispensed with and the foregoing bill was ordered to a third reading at the present time. The foregoing entitled bill was read a third time and passed.

On motion of Senator Hamlin, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1937

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on the Judiciary:

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936.

COMMITTEE REPORTS

Senator Hanson for the Committee on Revision of Laws, to whom was referred:

Senate Bill No. 9, An act establishing Commissioner Districts in the County of Sullivan.

Senate Bill No. 22, An act to increase the salary of the solicitor of Sullivan County.

Senate Bill No. 25, An act regarding liens on real estate.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hanson for the Committee on Revision of Laws, to whom was referred:

House Bill No. 4, An act relating to divorce.

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "state" in line 4 the following words, "or Federal district," so that said section as amended shall read as follows:

1. Amend paragraph IV of section 6, of chapter 287 of the Public Laws by striking out said paragraph and inserting in place thereof the following:

IV. Conviction of either party, in any state or Federal district, of a crime punishable with imprisonment for more than one year and actual imprisonment under such conviction.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom were referred:

Senate Bill No. 24, An act relating to the closing of North River Lake in Northwood, Nottingham and Barrington to ice fishing.

Senate Bill No. 28, An act relating to the taking of salt water smelt.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred:

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam.

Having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by adding after the word "Winnipesaukee" in the sixth line, the following: Lake Massabesic, Squam Lake, Merrymeeting Lake, Lake Sunapee; so that said section as amended shall read:

1. *Taking.* Amend section 12 of chapter 201 of the Public Laws as inserted by section 5, chapter 124 of the Laws of 1935, by striking out said section and inserting in place thereof the following: 12. *Pickerel.* Pickerel not less than twelve inches in length may be taken and possessed from June first to January sixteenth except that in Lake Winnipesaukee, Lake Massabesic, Squam Lake, Merrymeeting Lake, Lake Sunapee and Lake Winnisquam pickerel of not less than twelve inches in length may be taken from June first to April first. A person may take not more than ten pounds of pickerel in one day, provided that so long as he has taken less than ten pounds he shall be entitled to one additional fish.

Amend the title of the bill by adding after the word "Winnipesaukee" the following: Lake Massabesic, Squam Lake, Merrymeeting Lake, Lake Sunapee; so that said title as amended shall read:

An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake, Merrymeeting Lake, Lake Sunapee and Lake Winnisquam.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 38, An act relating to investments by trustees and guardians.

Senator Cole under a suspension of rules, sixteen Sena-

tors having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Fisheries and Game.

Senate Bill No. 39, An act limiting the taking of grayling in Long Pond in the town of Benton to fly fishing only.

Senator Doe under a suspension of rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 40, An act amending chapter 16 of the Public Laws as amended by chapter 144 of the Laws of 1929.

Senate Bill No. 41, An act amending chapter 162 of the Public Laws as amended by chapter 49 of the Laws of 1929.

(Recess)

The Senate re-assembled.

COMMITTEE REPORT

Senator Doe for the Committee on Engrossed Bills, to whom was referred:

House Bill No. 58, An act relating to the taking of fox, having considered the same report the same under Joint Rule No. 6 and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by adding after the figure "200" in the first line the words, of the Public Laws, and by striking out the words, "in its place" in the fifth line and inserting in place thereof the words, place thereof, so that said section as amended shall read as follows:

1. *Change in Season and Limit.* Amend section 2 of chapter 200 of the Public Laws, as amended by section 4 of chapter 124 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the fol-

lowing: 2. *Fox.* Fox may be taken and possessed with the aid or by the use of a dog and gun from September first to March first, and by the use of traps from November first to March first.

The report was accepted, amendment adopted and the bill as amended was sent to the House of Representatives for concurrence in the Senate amendment.

On motion of Senator Hamlin, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 4, An act relating to divorce.

Senate Bill No. 9, An act establishing commissioner districts in the County of Sullivan.

Senate Bill No. 22, An act to increase the salary of the Solicitor of Sullivan County.

Senate Bill No. 24, An act relating to the closing of North River Lake in Northwood, Nottingham and Barrington to ice fishing.

Senate Bill No. 25, An act regarding liens on real estate.

Senate Bill No. 28, An act relating to the taking of salt water smelt.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massebesic, Squam Lake, Merrymeeting Lake, Lake Sunapee and Lake Winnisquam.

On motion of Senator Moran, the Senate adjourned.

THURSDAY, FEBRUARY 4, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Eames, Mahoney, Cole, Allen and Conner were granted leaves of absence on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Revision of Laws.

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailer and tractors, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out, after the word "operated" in the seventh line, the words "but during the last five days of each year, namely from December 27 to December 31 inclusive, the owner of an automobile which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the succeeding

year, may display in the manner provided herein, in the place of number plates then in use, the number plates for the succeeding year, and,"

Further amend said section by striking out the word "further" in the thirteenth line and substituting therefor the word however.

Further amend said section by striking out the words "April first" in the fourteenth line and substituting therefor the words March thirty-first.

Further amend said section by striking out the words "April first" in the twenty-fourth line and substituting therefor the words March thirty-first inclusive.

So that said section as amended shall read as follows:

1. *Number Plates.* Amend section 2 of chapter 103 of the Public Laws, as amended by chapter 76 of the Laws of 1927, by striking out said section and inserting in place thereof the following: 2. *What Used.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle so operated, provided, however, that for the period from January first to March thirty-first, inclusive, in any year the owner of a motor vehicle, trailer, semi-trailer or tractor, which has been properly registered in accordance with the provisions of law for the preceding calendar year may display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said number plates of said preceding year in place of the number plates then in use. Such motor vehicles, trailers, semi-trailers and tractors displaying such number plates of the preceding year shall be deemed to be properly registered for the period in any year from January first to March thirty-first inclusive.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom were referred House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem,

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the County of Coos,

House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities, and counties,

Having considered the same, report the same without amendment and recommend their passage.

The reports of the Committee were accepted and the foregoing were ordered to a third reading this afternoon at two o'clock.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home.

LULA J. A. MORRIS,
For the Committee.

On motion of Senator Hamlin, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers, and tractors,

House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem,

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the County of Coos,

House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

On motion of Senator Daniel, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, FEBRUARY 5, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 5, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, FEBRUARY 8, 1937.

The Senate met according to adjournment.

Senator Conner having assumed the Chair, read the following communication:

Concord, N. H., February 8, 1937.

SENATOR CONNER:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Conner declared the Senate adjourned.

TUESDAY, FEBRUARY 9, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Guyer, Burque and Conner were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Seenate.

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 77, An act regarding lien on real estate.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

House Bill No. 4, An act relating to divorce.

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake, Merrymeeting Lake, Lake Sunapee and Lake Winnisquam.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 58, An act relating to the taking of fox.

READ AND REFERRED

The following entitled bills sent up from the House of

Representatives were read a first and second time and referred,

To Committee on Ways and Means.

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

On motion of Senator Blood, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

To the Committee on the Judiciary:

House Bill No. 77, An act regarding lien on real estate.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

On motion of Senator Kelley, the rules were suspended, reference to Committee dispensed with and the forgoing entitled bill was read a third time and passed.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to when were referred:

House Bill No. 50, An act relating to the penalty for aggravated assaults,

Senate Bill No. 17, An act relating to inspectors of elections,

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing bills were ordered to a third reading this afternoon.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 14, An act relating to investments of guardians,

Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the same and substituting therefor the following: 1. *Investments by Guardians.* Amend section 22 of chapter 290 of the Public Laws as amended by chapter 71 of the Laws of 1931 by adding at the end of sub-section I the words, "or in notes or bonds secured by mortgage insured by the Federal Housing Administrator and guaranteed by the United States of America."

Further amend said section 22 by striking from sub-section III the words "with the exception of stocks in banking corporations and trust companies"; so that said section as amended shall read as follows:

22. *Approved Classes.* Every guardian of a minor shall invest, in the name of his ward, or in his own name as guardian, the money and the proceeds of all real and personal property of his ward not required for the ward's support in the following described classes of property only:

I. In notes secured by mortgage of real estate at least double in value of the notes, or in notes, or bonds secured by mortgage insured by the Federal Housing Administrator and guaranteed by the United States of America.

II. By deposit in some incorporated savings bank in this state, or in the savings department of a national bank or trust company located in this state.

III. In such other stocks and bonds as are legal investment for savings banks in this state.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 4, An act relating to the appointment of an Assistant Attorney General in charge of criminal prosecutions,

Having considered the same, reported the same with the following amendment and recommended that the the bill as amended ought to pass.

Amend Senate Bill No. 4 by striking out the words, "In

Charge of Criminal Prosecutions," in the title thereof, so that said title as amended shall read as follows: An Act Relating to the Appointment of an Assistant Attorney General.

Further amend said bill by striking out all after the enacting clause and by substituting in place thereof the following:

1. Amend Public Laws, chapter 16, section 11, as amended by Laws of 1929, chapter 144, by striking out the whole thereof and inserting in place thereof the following: 11. *Assistants.* With the approval of the governor and council, he may employ a second assistant attorney general who may not be removed from office except for cause at a salary not to exceed thirty-five hundred dollars ($35,000) a year and such counsel, attorney, detectives, experts, accountants and other assistants in case of reasonable necessity and may pay them reasonable compensation on the warrant of the governor out of any money in the treasury not otherwise appropriated.

2. Amend Public Laws, chapter 16, section 9-a, as inserted by Laws of 1929, chapter 144, by adding at the end thereof the following: The public service commission may require the attorney general to assign to the commission, with its approval, an assistant attorney general, and thereupon it shall be the duty of such assistant attorney general to devote such time to the service of the commission as it may require; so that said section as amended shall read as follows: 9-a. *Direction by Public Service Commission.* The public service commission may, in any action or proceeding before it, represent to the attorney general that he should appear to protect the interests of the people of the state or of any subdivision thereof, and thereupon it shall be his duty to appear. The public service commission may require the attorney general to assign to the commission, with its approval, an assistant attorney general, and thereupon it shall be the duty of such assistant attorney general to de-

vote such time to the service of the commission as it may require.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill referred to the Committee on Finance under the rules.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 27, An act relating to the closing of polls at elections other than town meetings,

Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the third line the words "may prescribe"; so that said section as amended shall read:

SECTION 1. The selectmen shall state in their warrant for the election of officers other than town officers the hour not later than ten o'clock in the forenoon when the polls will open and the hour not earlier than three o'clock in the afternoon when the polls will close.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Blood under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 42, An act relating to the land use board.

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill and joint resolution which were read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 43, An act to define and extend the rights of adopted children.

To the Committee on Public Improvements:

Senate Joint Resolution No. 2, Joint resolution for the permanent improvement of the Crescent Lake road, so called, in the town of Unity.

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

ORDER VACATED

Senator Wilson offered the following resolution:

Resolved, That the order whereby Senate Bill No. 11, An act to provide for the erection of a state office building in Concord, was referred to the Committee on Public Improvements, be vacated and the bill be referred to the Joint Committee on State House and State House Yards.

The question being stated, Shall the resolution be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

(Recess)

The Senate reassembled.

Senator Calef in the Chair.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 14, An act relating to investments of guardians.

House Bill No. 50, An act relating to the penalty for aggravated assaults.

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

Senate Bill No. 27, An act relating to the closing of polls at elections other than town meetings.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1937

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Wilson and Guyer were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the adoption of its amendments to House Bill No. 35, An

act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake, Merrymeeting Lake and Lake Winnisquam, and asks for a committee of conference. The Speaker has appointed as members on such committee on the part of the House, Messrs. Hoyt of Sandwich, and Osborn of Sunapee and Mrs. Banfield of Moultonborough.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference, and the President appointed as members on the part of the Senate Senators Cole and Mahoney.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred.

To the Committee on Revision of Laws

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

To the Committee on Judiciary,

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

COMMITTEE REPORTS

Senator Hamlin for the Committee on Revision of Laws, to whom were referred:

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont,

House Bill No. 26, An act relating to bulky article attachments,

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District,

Having considered the same, reported the same without amendment and recommended their passage.

The reports of the Committee were accepted and the

bills were ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred Senate Bill No. 34, An act to amend Chapter 329 of the Public Laws of New Hampshire.

Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of the bill by striking out the whole of said title and substituting therefor the following:

An act relating to actions for malpractice.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred, Senate Bill No. 41, An act amending chapter 162 of the Public Laws as amended by Chapter 49 of the Laws of 1929,

Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of the bill by striking out the whole of said title and substituting therefor the following:

An act relating to standards for the sale of coal and coke.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on Engrossed Bills, to whom was referred, House Bill No. 50, An act relating to the penalty for aggravated assaults,

Having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Change in Penalty.* Amend section 23 of chapter 392 of the Public Laws by striking out the words "one

year" in the third line and inserting in place thereof the words, three years, and by striking out the word "two" in the second line and inserting in place thereof the word, five so that said section as amended shall read as follows: 23. *Aggravated Assaults.* If the offense is of an aggravated nature, the offender shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both.

The report was accepted, and amendment adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 4, An act relating to divorce.

House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem.

House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

House Bill No. 58, An act relating to the taking of fox.

LULA J. A. MORRIS,
For the Committee.

NOTICE OF RECONSIDERATION

Senator Calef gave notice that on tomorrow or some subsequent day he would move for a reconsideration of the vote on House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

(Recess)

The Senate reassembled.

COMMITTEE OF CONFERENCE REPORT

The Committee on Conference to whom was referred House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake,

Merrymeeting Lake, Lake Sunapee and Lake Winnisquam, reported the same with the recommendation that the House recede from its position of non-concurrence and the Senate recede from the adoption of its amendment and recommended that the following, amendment be adopted:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake and Lake Winnisquam.

Amend by striking out all of the bill after the enacting clause and inserting in place thereof the following:

1. *Taking.* Amend section 12 of chapter 201 of the Public Laws as inserted by section 5, chapter 124 of the Laws of 1935, by striking out said section and inserting in place thereof the following: 12. *Pickerel.* Pickerel not less than twelve inches in length may be taken and possessed from June first to January sixteenth, except that in Lake Winnipesaukee, Lake Massabesic, Squam Lake and Lake Winnisquam pickerel of not less than twelve inches in length may be taken and possessed from June first to April first. A person may take not more than ten pounds of pickerel in one day, provided that so long as he has taken less than ten pounds he shall be entitled to one additional fish.

2. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,
DENIS F. MAHONEY,
Senate Conferees.

CHARLES B. HOYT,
EDITH D. BANFIELD,
House Conferees.

The report was accepted and the recommendations of the Committee adopted.

Senator Daniel moved the adoption of the following resolution:

Resolved, that the Senate go on record as favoring the proposal of President Franklin D. Roosevelt that the number of Justices of the Supreme Court of the United States be increased from nine to fifteen and that the Clerk of the Senate send a copy of this resolution to President Franklin D. Roosevelt and to the Clerk of the United States Senate.

(Discussion Ensued)

Senator Hamlin moved that the resolution be indefinitely postponed.

On a *viva voce* vote, the affirmative prevailed and the resolution was indefinitely postponed.

(Recess)

The Senate reassembled.

On motion of Senator Hamlin, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

House Bill No. 26, An act relating to bulky article attachments.

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

Senate Bill No. 34, An act relating to actions for malpractice.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

On motion of Senator Simpson the Senate adjourned.

THURSDAY, FEBRUARY 11, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Guyer was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and joint resolution with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 33, An act relating to landlord and tenant.

House Bill No .84, An act relating to assignment of counsel.

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock.

House Joint Resolution No. 115, Joint resolution relating to the calling of a Constitutional convention.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 14, An act relating to investments of guardians.

The message further stated that the House of Representatives has voted to adopt the report of the Committee of Conference on House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake, and Lake Winnisquam.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Revision of Laws:

House Bill No. 33, An act relating to landlord and tenant.

House Bill No. 84, An act relating to assignment of counsel.

To the Committee on Agriculture:

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock.

To the Committee on Judiciary,

House Joint Resolution No. 115, Joint resolution relating to the calling of a constitutional convention.

COMMITTEE REPORTS

The Committee on Judiciary, to whom was referred

House Bill No. 18, An act relating to emergency public works,

House Bill No. 68, An act legalizing the proceedings of the special election held in the Town of Enfield on July 11, 1936,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam Lake, and Lake Winnisquam.

HAVEN DOE,
For the Committee.

(Recess)

The Senate reassembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, That the House will meet the Senate in joint convention at 11:45 o'clock to receive a message from His Excellency the Governor.

On motion of Senator Doe, the Senate voted to concur in the resolution adopted by the House of Representatives.

(Recess)

(See House Journal)

The Senate re-assembled.

On motion of Senator Kelley the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at 2 o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 18, An act relating to emergency public works.

House Bill No. 68, An act legalizing the proceedings of the special election held in the Town of Enfield on July 11, 1936.

Senator Calef requested the withdrawal of his notice of reconsideration on House Bill No. 81, An act to authorize the City of Berlin to acquire a certain piece of land in the Town of Milan and to operate a recreation field thereon.

On motion of Senator Hamlin the following resolution was adopted:

Resolved, That when the Senate adjourns this morning it adjourn to meet tomorrow morning at nine o'clock and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Hamlin the following resolution was adopted:

Resolved, That the President of the Senate secure from the Supreme Court its opinion on the following question, if possible by February 18, 1937: Does House Joint Resolution No. 115, Joint resolution relating to the calling of a constitutional convention, meet with the constitutional provisions of Articles 99 and 100 of the constitution of New Hampshire?

On motion of Senator Simpson the Senate adjourned.

FRIDAY, FEBRUARY 12, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 12, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, FEBRUARY 15, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 15, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, FEBRUARY 16, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Cole and Kelley were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representative has passed bills and joint resolution, with the following titles in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton.

House Bill No. 24, An act relating to naming that portion of state highway between Rochester and Alton Bay.

House Bill No. 39, An act relating to officers and employees of the city of Manchester.

House Bill No. 91, An act relating to the terms of the Probate Court for the County of Strafford.

House Bill No. 97, An act relating to suits against receiptors.

House Bill No. 194, An act changing the name of Snake Pond in the town of Ossipee.

House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell Estate.

House Bill No. 110, An act legalizing the November election in the town of Stoddard.

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 173, An act relating to the collection of poll tax.

House Bill No. 178, An act relating to homicide.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 222, An act relating to the insurance commissioners.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

House Bill No. 231, An act relative to contested elections.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 50, An act relating to the penalty for aggravated assault.

READ AND REFERRED

The following entitled bills and joint resolution sent up from the House of Representatives were read a first and second time and referred

To the Committee on Revision of Laws,

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton.

On motion of Senator Conner, the rules were suspended, reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

To the Committee on Public Improvements,

House Bill No. 24, An act relating to naming that portion of state highway between Rochester and Alton Bay.

To the Committee on the Judiciary,

House Bill No. 110, An act legalizing the November election in the town of Stoddard.

To the Committee on Finance,

House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell Estate.

On motion of Senator Wilson, the rules were suspended, reference to Committees dispensed with, and the foregoing bill and joint resolution were read a a third time and passed.

To the Committee on the Judiciary,

House Bill No. 39, An act relating to officers and employees of the city of Manchester.

House Bill No. 91, An act relating to the terms of the Probate Court for the County of Strafford.

House Bill No. 173, An act relating to the collection of poll tax.

House Bill No. 178, An act relating to homicide.

House Bill No. 194, An act changing the name of Snake Pond in the town of Ossipee.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

House Bill No. 231, An act relative to contested elections.

To the Committee on Revision of Laws,

House Bill No. 97, An act relating to suits against receiptors.

To the Committee on Insurance,

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 222, An act relating to the insurance commissioner.

To the Committee on Agriculture,

House Bill No. 179, An act relating to the weighing of milk.

To the Committee on Education,

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

COMMITTEE REPORT

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 18, An act relating to emergency public works, having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Extension of Authority.* Amend section 29 of chapter 113 of the Laws of 1935 by striking out the word and figures "June 30, 1937" in the sixth and seventh lines.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 26, An act relating to bulky article attachments.

House Bill No. 50, An act relating to the penalty for aggravated assaults.

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936.

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

HAVEN DOE,
For the Committee.

OPINION OF THE SUPREME COURT

To the Honorable Senate:

In response to your resolution of inquiry whether House Joint Resolution No. 115 conforms with the requirements of Articles 99 and 100 of the state constitution, the undersigned, the Justices of the Supreme Court, are of the opinion that it does.

By Article 100 "the sense of the people, as to a revision of the constitution, and calling a convention for that purpose," shall be taken at the end of every seven year period, by the same method which Article 99 provided for the first convention after the adoption of the constitution of 1792.

Article 99 provides that "the selectmen, and assessors, of the several towns and places.....in warning the first annual meetings for the choice of senators" shall insert an article in the warrant for taking a vote for a revision of the constitution. If the duty is not performed, "the general court shall direct the sense of the people to be taken, and then proceed in the manner before mentioned." In our opinion, whatever the duty of local officials to have the vote taken at a senatorial election, the legislature is not thus restricted when it directs the taking of the vote. The

reference to then proceeding in the manner before mentioned is considered to relate to legislative action to carry out a vote in favor of a convention. This view serves to effect a purpose of due diligence implicit in the Article.

The joint resolution requires that return of the votes be made to the present session of the legislature. By Article 99 the returns are to be made "to the general court at their then next session." If this wording is to be applied literally, the plan for due diligence which the Article arranges will again be defeated. When Article 99 was adopted, its framers had in mind a legislative session in June ensuing the March meetings. The amendment of 1877 provides that the legislature convene biennially and an amendment of 1889 changed its month of convening from June to January. The plan of Article 99 was thus made impossible to execute in this detail since a return to a legislature to convene in June could not be made unless to a special session thereof. In our opinion the effect of the 1877 and 1889 amendments was to permit a return to the nearest legislative session after the vote, in order to accomplish the purpose of reasonable diligence which Article 99 implicitly demands. The direction that return be made to the present legislature which will be in session after the March meetings is therefore proper.

JOHN E. ALLEN,
THOMAS L. MARBLE,
OLIVER W. BRANCH,
PETER WOODBURY,
ELWIN L. PAGE.

February 15, 1937.

On motion of Senator Blood the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absense for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 166, An act relative to the salary received by the special justice of the Municipal Court of Nashua.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred,

To the Committee on Revision of Laws,

House Bill No. 166, An act relative to the salary received by the special justice of the Municipal Court of Nashua.

Upon motion of Senator Burque, the rules were suspended, reference to Committee dispensed with, and the foregoing entitled bill was read a third time and passed.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 155, An act to dissolve the New Boston Railroad Company, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 35, An act creating uniform Law Commission, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out immediately after the enacting clause the words "Amend Chapter 84 of the Laws of 1893 by striking out the whole of said chapter and substituting in place thereof the following:"

Amend section 3 of the bill by striking out in the second line thereof the word "Two" and substituting therefor the word One; and by striking out the word "of" in the fifth line of said section and substituting therefor the words, not exceeding.

Further amend the bill by inserting a new section 4 to read, 4. *Repeal.* Chapter 84 of the Laws of 1893 is hereby repealed.

Further amend the bill by renumbering section 4 to read section 5.

So that said bill as amended shall read:

1. *Commission Created.* Upon the passage of this act, the Governor, with the approval of the Council, shall appoint three members of the New Hampshire Bar as Commissioners on Uniform State Laws, one for a term of two years, one for four years, one for six years, respectively, and, thereafter, one every two years for a like term of six years.

2. *Duties.* It shall be the duty of said Commissioners to promote uniformity in state laws on all subjects where uniformity is desirable and practicable, and to meet and act with other similar commissions appointed from other states for the above purpose, to be represented at each annual Conference of the National Commissioners, and to file with the Secretary of State, no later than December 1st last preceding each legislative session, for the use of the Governor and legislature, a report of the progress of uniform

legislation both within and without the state, to the end that uniform legislation, where desirable and practicable, be adopted in this state.

3. *Appropriation.* For the purpose of promoting and continuing the holding of National Conferences the sum of one hundred dollars each year shall be appropriated and paid by the state to the National Conference of Commissioners on Uniform State Laws, and an additional sum not exceeding four hundred dollars shall be likewise appropriated each year, set aside and used so far as necessary to defray the expenses of said Commissioners in attending said conference, in making said biennial report and in the performance of their respective duties.

4. *Repeal.* Chapter 84 of the Laws of 1893 is hereby repealed.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill was referred to the Committee on Finance under the rules.

INTRODUCTION OF BILL

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to a joint committee on Labor and State Prison,

Senate Bill No. 45, An act relative to hours of labor for guards and attendants at the State Prison.

(Recess)

The Senate re-assembled.

On motion of Senator Wilson, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Joint Resolution No. 115, Joint

resolution relating to the calling of a Constitutional Convention, having considered the same, reported the same with the following amendment, and recommend that the Joint Resolution as amended ought to pass.

On motion of Senator Wilson, the reading of the amendment was dispensed with.

Amend the resolution by striking out the word, alter, in the ninth line and substituting therefor the word, revise, so that said resolution as amended shall read as follows:

That at the election in the several towns and cities to be holden on the second Tuesday of March, 1937, and at a special election to be held in the other cities in which a regular election is not at that time held, the selectmen of the several towns and the officers of the several cities, who are by law required to warn meetings for elections, be directed to insert in their warrants calling such meetings and elections an article which requires the sense of the qualified voters to be taken upon the following question, to wit: .Is it expedient to revise the Constitution? And the several clerks of such towns and cities are directed to make due return of their respective towns and cities to the legislature on or before the twenty-third day of March, 1937.

The report was accepted, amendment adopted and the Joint Resolution as amended was ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton,

House Bill No. 5, An act to merge the board of water commissioners and the board of sewer commissioners of the town of Claremont,

House Bill No. 14, An act relating to investments by guardian,

House Bill No. 110, An act legalizing the November election in the town of Stoddard,

House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell estate.

HAVEN DOE,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill and joint resolution were read a third time and passed:

House Bill No. 155, An act to dissolve the New Boston Railroad Company,

House Joint Resolution No. 115, Joint resolution relating to the calling of a Constitutional Convention.

On motion of Senator Eastman, the Senate adjourned.

THURSDAY, FEBRUARY 18, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Conner, Blood and Calef were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill and joint

resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 25, An act regarding liens on real estate.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 115, Joint resolution relating to the calling of a Constitutional Convention.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 18, An act relating to emergency public works.

READ AND REFERRED

The following entitled bill and joint resolution sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Revision of Laws,

House Bill No. 89, An act relative to the practice of laws by unauthorized persons and corporations.

To the Committee on Finance,

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

COMMITTEE REPORTS

Senator Hanson for the Committee on Revision of Laws, to whom were referred Senate Bill No. 42, An act relating to the land use board,

House Bill No. 54, An act relating to the licensing of cold storage warehouses,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

A majority of the Committee on Revision of Laws, to whom was referred Senate Bill No. 16, An act relating to small loans,

Having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

HOWARD H. HAMLIN,
PHILIP C. HEALD,
WILLIAM B. HANSON,
GEORGE C. STAFFORD,
For a Majority of the Committee.

A minority of the Committee on Revision of Laws, to whom was referred,

Senate Bill No. 16, An act relating to small loans,

Having considered the same, reported the same without amendment and recommend its passage.

J. VINCENT MORAN,
For a Minority of the Committee.

The report of the majority was accepted.

Senator Daniel moved that the report of the minority be substituted for that of the majority.

(Discussion ensued)

The question being stated:

Shall the report of the minority be substituted for that of the majority?

Senator Daniel demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Senators Moran and Daniel.

The following named Senators voted in the negative:

Senators, Morris, Eames, Simpson, Guyer, Strafford, Hamlin, Freeman, Hanson, Randall, Heald, Burque, Eastman, Wilson, Mahoney, Doe, Cole and Allen.

Two Senators having voted in the affirmative and seventeen Senators having voted in the negative, the motion to substitute was lost, and the recommendation of the majority of the committee was accepted.

Senator Moran for the Committee on Public Health, to whom was referred,

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply,

Having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution, No. 115, Joint resolution relating to the calling of a constitutional convention.

LULA J. A. MORRIS,
For the Committee.

INTRODUCTION OF BILL

Senator Allen under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary,

Senate Bill No. 46, An act relative to the home for aged women..

On motion of Senator Wilson, the rules were further suspended, printing and reference to committee dispensed

with, and the foregoing entitled bill was read a third time and passed.

On motion of Senator Doe, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

Senate Bill No. 42, An act relating to the land use board.

On motion of Senator Burque, the following resolution was adopted:

Resolved, that when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, FEBRUARY 19, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 19, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, FEBRUARY 22, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 22, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, FEBRUARY 23, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Wilson was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 163, An act relating to vacancies in county offices.

House Bill No. 27, An act relative to the Board of Public Works of the city of Concord.

House Bill No. 86, An act relating to caretakers on recreational areas on state lands.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state aided highways.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 24, An act relating to the closing of North River Lake in Northwood, Nottingham and Barrington to ice fishing.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on the Judiciary,

House Bill No. 27, An act relative to the Board of Public Works of the city of Concord,

House Bill No. 163, An act relating to vacancies in county offices.

To the Committee on Revision of Laws,

House Bill No. 120, An act to prohibit motor vehicle racing on public ways,

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state aided highways.

To the Committee on Forestry,

House Bill No. 86, An act relating to caretakers on recreational areas on state lands.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom were referred,

House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford.

House Bill No. 178, An act relating to homicide,

House Bill No. 194, An act changing the name of Snake Pond in the town of Ossipee,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred,

Senate Bill No. 38, An act relating to investments by trustees and guardians,

Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the recommendation of the committee adopted.

Senator Moran for the Committee on Public Health, to whom was referred,

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody,

Having considered the same, reported the same without amendment and recommend its passage.

The report of the committee was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Blood, under a suspension of the rules, introduced a committee report not previously advertised in the journal.

Senator Blood for the Committee on Finance, to whom was referred,

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others,

Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution was ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Conner, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on State Prison.

Senate Bill No. 47, An act providing for an addition to the cell block of the State Prison.

Senator Eames, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 48, An act to provide for the regulation of small loans.

(Recess)

The Senate re-assembled.

Senator Blood, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 18, An act relating to emergency public works,

Senate Bill No. 25, An act regarding liens and real estate,

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

LULA J. A. MORRIS,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READING.

The following entitled bills and joint resolution were read a third time and passed:

House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford,

House Bill No. 178, An act relating to homicide,

House Bill No. 194, An act changing the name of Snake Pond in the town of Ossipee,

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody,

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

The Honorable John Edgerly, of Tuftonboro, N. H., a former member of the State Senate, was introduced by the President and made a short address.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire Boundary line,

House Joint Resolution No. 80, Joint resolution for the reprinting of the Laws of 1927,

House Joint Resolution No. 117, Joint resolution in favor of estate of Theodore O. Ravenelle.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 22, An act to increase the salary of the Solicitor of Sullivan county.

READ AND REFERRED

The following entitled bill and joint resolutions sent up from the House of Representatives were read a first and second time and referred ,

To the Committee on Finance,

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire Boundary line,

House Joint Resolution No. 80, Joint resolution for the reprinting of the Laws of 1927,

House Joint Resolution No. 117, Joint resolution in favor of estate of Theodore O. Ravenelle,

On motion of Senator Heald the rules were suspended, reference to Committee dispensed with and House Joint Resolution in favor of estate of Theodore O. Ravenelle, was read a third time and passed.

(Recess)

The Senate re-assembled.

COMMITTEE REPORTS

Senator Morris for the Committee on Engrossed Bills, to whom was referred House Bill No. 166, An act relative

to the salary received by the special justice of the Municipal Court of Nashua,

Having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend the title of said bill by striking out the words "received by" and inserting in place thereof the word, of, so that said title as amended shall read as follows:

An act relative to the salary of the special justice of the municipal court of Nashua.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Nashua Municipal Court.* Amend section 4, chapter 323 of the Public Laws, as amended by chapter 116 of the Laws of 1929, chapter 19 of the Laws of 1931 and chapter 101 of the Laws of 1935, by striking out the words "six hundred" in the ninth line and inserting in place thereof the words one thousand, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing of the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eight hundred dollars, of Nashua one thousand dollars, of Concord five hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendmnt.

Senator Morris for the Committee on Engrossed Bills, to

whom was referred House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply,

Having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines thereof and inserting in place thereof the following:

1. *State Board of Health.* Amend chapter 141 of the Public Laws by inserting after section 15, as amended by chapter 10 of the Laws of 1933, the following new section:

15-a. *Regulations for Interstate Waters Used as Sources of Public Water Supply by Adjoining States.* For the purpose of protecting the purity of

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 178, An act relating to homicides.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the foregoing resolution, His Excellency the Governor returned to the Senate for further consideration the following entitled bill:

House Bill No. 178, An act relating to homicides.

On motion of Senator Wilson, the rules were so far suspended as to allow the reconsideration of the vote on the foregoing bill.

On motion of the same Senator, the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of Senator Wilson, the following amendment was adopted:

Amend the bill by adding after section 1 a new section to be numbered section 2.

Section 2. This act shall take effect upon its passage.

The bill as amended was ordered to a third reading this afternoon at two o'clock.

The Honorable George Yeaton, of Rollinsford, New Hampshire, a former member of the State Senate, was introduced by the President and made a few remarks.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

House Bill No. 178, An act relating to homicides.

On motion of Senator Moran, the Senate adjourned.

THURSDAY, FEBRUARY 25, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 223, An act relating to the sale of lightning rods.

House Bill No. 272, An act to legalize the annual meeting of the North Conway lighting precinct.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war services of residents of New Hampshire.

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 34, An act relating to action for malpractice.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on the Judiciary,

House Bill No. 272, An act to legalize the annual meeting of the North Conway lighting precinct.

To the Committee on Agriculture,

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

To the Committee on Insurance,

House Bill No. 223, An act relating to the sale of lightning rods.

To the Committee on Finance,

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

To a Joint Committee on Military Affairs and Finance,

House Joint Resolution No. 51, Joint resolution relating to payment of bonus in recognition of war services of residents of New Hampshire.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war services of residents of New Hampshire.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom were referred Senate Bill No. 15, An act limiting the rate of interest chargeable by finance companies,

House Bill No. 39, An act relating to officers and employees of the city of Manchester,

Having considered the same, report the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The reports were accepted and the recommendations of the committee adopted.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 231, An act relative to contested elections,

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "nay" in the sixth line thereof and substituting therefor the word shall; so that said section as amended shall read as follows:

1. *Mileage Allowance.* Amend chapter 3 of the Public Laws by adding after section 3 the following new section: 7. *Representatives.* Any person who has received a certificate of election as representative and who has taken his seat as such representative but who is unsuccessful in regaining said seat because his election thereto is contested, shall be allowed and paid his mileage for the period of time during which he held his seat.

The report was accepted, amended adopted and the bill as amended was ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on the Revision of

Laws, to whom was referred House Bill No. 33, An act relating to landlord and tenant,

Having considered the same, report the same with the following resolution:

Resolved: That it is inexpedient to legislate.

The report was accepted and the recommendation of the committee adopted.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred,

House Bill No. 84, An act relating to assignment of counsel,

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Insurance, to whom was referred House Bill No. 222, An act relating to the Insurance Commissioner,

Having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Hamlin for the Committee on Insurance, to whom was referred House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend Section 3 by striking out the words and figures, October 31, in line 9 of said section and inserting in place thereof the words and figures, June 30, so that said section as amended shall read as follows:

3. Amend Section 5, chapter 284 of the Public Laws

by striking out the whole of said section and inserting in place thereof the following:

"5. *Status of Licensees, etc.* By December 1 of each year such corporation and its officers, agents and employees so licensed shall be regarded as dealers in securities under the provisions of this chapter. Such licensees shall furnish to the commissioner upon a form to be furnished by him under the oath of such responsible officer of the corporation as the commissioner may require an annual financial statement for the period ending June 30 of each year exhibiting with reasonable detail assets, liabilities, profit and loss of the corporation for a period of one year."

The report of the committee was accepted and the amendment adopted.

On motion of Senator Hamlin, the bill was further amended as follows:

Amend Section 4 by striking out the words and figures, October 31, in line 15 of said section and inserting in place thereof the words and figures, June 30, so that said section as amended shall read as follows:

4. Amend chapter 284 of the Public Laws by inserting after section 8 thereof the following section 8a:

"8a. The commissioner may examine or cause to be examined at the expense of the applicant or dealer the affairs and condition of a registered dealer in securities or an applicant who desires to become registered as such dealer. An applicant shall furnish in addition to the information required in the application such other documentary evidence of condition and responsibility as the commissioner may require, including without limiting the generality of the foregoing, authentic copies of articles of incorporation, partnership agreements, by-laws, balance sheets and earning statements. By December 1 of each year every licensed dealer in securities shall furnish under the oath to such responsible member or members of the dealers' organization as the commissioner may require an annual financial statement for the period ending June 30 of each

year exhibiting with reasonable detail, assets, liabilities, profit and loss of the dealer for a period of one year upon a form to be furnished by the commissioner."

The bill as amended was ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Insurance, to whom was referred House Bill No. 220, An act relating to the incorporation of insurance companies,

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Agriculture, to whom were referred

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock,

House Bill No. 179, An act relating to the weighing of milk,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Conner for the Committee on Education, to whom was referred House Bill No. 338, An act providing for instruction in public schools relating to elections and voting,

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 22, An act to increase the salary of solicitor of Sullivan county.

House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford.

House Bill No. 194, An act changing the name of Snake Pond in the town of Ossipee.

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

HAVEN DOE,
For the Committee.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third and time and passed.

House Bill No. 84, An act relating to assignment of counsel.

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Bill No. 97, An act relating to suits against receiptors.

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

On motion of Senator Eastman, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7: 30 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, FEBRUARY 26, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., February 26, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MARCH 1, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 1, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MARCH 2, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 59, An act relating to permits for entries to private cemeteries.

House Bill No. 113, An act relating to the bridge between Orford, N. H. and Fairlee, Vt.

House Bill No. 188, An act relative to marriage by a party under the age of consent.

House Bill No. 243, An act relating to criminal appeals.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

House Bill No. 99, An act creating a New Hampshire Law Report Committee.

House Bill No. 105, An act relating to posting of piece rate prices.

House Bill No. 374, An act relating to the transportation of High School pupils.

The message further stated that the House of Representa-

tives has voted to concur with the Honorable Senate in the passage of the following entitled bills sent down from the Honorable Senate:

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

Senate Bill No. 46, An act relative to the Home for Aged Women.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 166, An act relative to the salary received by the special justice of the Municipal Court of Nashua.

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 24, An act relative to closing North River Lake in the towns of Northwood, Nottingham, and Barrington to ice fishing.

Amend section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

1. *Closed to Ice Fishing.* Amend chapter 155 of the Laws of 1935 by inserting after section 5 the following new section: 5-a. *North River Lake.* North River Lake in the towns of Northwood, Nottingham and Barrington is hereby closed to fishing through the ice.

On motion of Senator Calef, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

Senate Bill No. 17, An act relating to inspectors of elections.

Amend section 1 of said bill by striking out the word "Session" in the second line.

On motion of Senator Wilson, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Revision of Laws:

House Bill No. 59, An act relating to permits for entries to private cemeteries.

House Bill No. 105, An act relating to posting of piece rate prices.

House Bill No. 188, An act relative to marriage by a party under the age of consent.

To the Committee on Finance:

House Bill No. 99, An act creating a New Hampshire Law Report Committee.

To the Committee on Judiciary:

House Bill No. 243, An act relating to criminal appeals.

To the Committee on Public Improvements:

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

To the Committee on Agriculture:

House Bill No. 292, An act relating to the sale of apples at retail or wholesale defining terms and requiring proper grades as marked.

To the Committee on Education:

House Bill No. 374, An act relating to the transportation of high school pupils.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom were referred:

Senate Bill No. 23, An act making the municipal elections in the City of Manchester non-partisan.

Senate Bill No. 33, An act relating to certain charges by telephone utilities.

Having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The reports were accepted and recommendations of the committee adopted.

Senator Morris for the Committee on Judiciary, to whom was referred House Bill No. 27, an act relative to the board of public works of the city of Concord, having considered the same report the same without amendment and recommend its passage.

The report of the committee was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Morris, for the Committee on Engrossed Bills, to whom was referred House Bill No. 220, An act relating to the incorporation of insurance companies, having considered the same, report the same under joint rule No. 6, with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Amendments to Charter or Articles of Incorporation.* Amend section 8 of said chapter 272 by striking out the whole thereof and inserting in place thereof the following: 8. *Certification.* All proposed amendments, duly certified to by the president and secretary of such company, shall be submitted to the commissioner and to the attorney-general or assistant attorney-general for their examination and endorsement of approval in the same manner as provided by this chapter as to the original articles of agree-

ment. Copies of all documents required by this section to be submitted to the commissioner shall be filed with him.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Morris for the Committee on Engrossed Bills, to whom was referred House Bill No. 54, An act relating to the licensing of cold storage warehouses, having considered the same, report the same under joint rule No. 6, with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by inserting after the word "fraction" in the second and also in the eleventh lines the word, thereof, by inserting after the word "read" in the fifth line the words, as follows, and by inserting after the word "made" in the sixth line the words, to the board.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect; Interim Licenses.* This act shall take effect on January 1st, 1938, provided that any license which may be renewed or issued during the period from the passage of this act and the effective date hereof shall expire on January 1st, 1938, unless sooner suspended for cause and the fee for such license shall be such proportionate part of ten dollars as the period covered by the license bears to a full year.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 46, An act relative to the Home for Aged Women.

House Bill No. 9, An act authorizing the state board of health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

House Bill No. 97, An act relating to suits against receiptors.

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

House Bill No. 178, An act relating to homicide.

House Joint Resolution No. 117, Joint resolution in favor of estate of Theodore O. Ravenelle.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILLS

Senator Daniel under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 49, An act establishing the penalty for delinquent payment of Manchester Gas Company bills.

Senator Eames under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 50, An act relating to local option.

(Recess)

The Senate re-assembled.

Senator Morris under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 51, An act relating to neglected and delinquent children.

Senate Bill No. 52, An act creating a probation department.

ORDER VACATED

On motion of Senator Freeman, the order whereby House Bill No. 223, An act relating to the sale of lightning rods, was referred to the Committee on Insurance, was vacated and the foregoing bill was referred to the Committee on Judiciary.

On motion of Senator Doe, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for two o'clock this afternoon be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed:

House Bill No. 27, An act relative to the board of public works of the city of Concord.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, MARCH 3, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 53, An act relating to legacy receipts.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common assignments.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Senate Bill No. 42, An act relating to the land use board.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 231, An act relative to contested elections.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 34, An act relating to actions for malpractice.

Amend Section 1 of said bill by striking out the word "paragraph" in the first line and inserting in place thereof the word, section; further amend said section 1 by inserting after the word "section" in the third line the words, as amended.

On motion of Senator Wilson, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has recalled from the Governor Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings, and Senate Bill No. 41, An act relating to standards for the sale of coal and coke, for purpose of amendment and re-referred the bills to the Committee on the Revision of the Statutes.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Revision of Laws,

House Bill No. 53, An act relating to legacy receipts.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignments.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom were referred Senate Bill No. 6, An act providing for old age pensions and means of defraying the expense thereof and the expense for providing assistance to aged and dependent persons under Chapters 20 and 127, Laws of 1935.

House Bill No. 77, An act regarding lien on real estate.

Having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legisalte.

The reports were accepted and recommendations of the committee adopted.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire Boundary Line,

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "whenever necessary, once in seven years forever" in the third line thereof; so that said section as amended will read:

1. *Perambulation.* The boundary line between the State of New Hampshire and the State of Maine as marked on land, shall be perambulated and the line marked and bounds renewed. The governor with the advice and consent of the council, shall appoint a surveyor from the Highway Department who shall, in conjunction with a duly authorized representative of the State of Maine, perambulate the boundary line from Bryant's Rock at East Pond to the Canadian line.

Amend section 4 of the bill by inserting at the beginning of said section the following: A sum not to exceed one thousand dollars to cover; so that said section as amended will read:

4. *Expense.* A sum not to exceed one thousand dollars to cover all expenses incurred by representation of this state incidental to such perambulation shall be paid by the state including one-half of the cost of renewing markers or monuments, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

The report was accepted, amendments adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Public Improvements, to whom was referred House Bill No. 24, An act relating to naming that portion of the State Highway between Rochester and Alton Bay,

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No.

3, Joint resolution authorizing the appointment of a Committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939,

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

COMMISSION REPORTS

The Commission for the study of occupational diseases in New Hampshire appointed by former Governor H. Styles Bridges made the following report:

STATE OF NEW HAMPSHIRE

COMMISSION FOR THE STUDY OF OCCUPATIONAL DISEASES IN NEW HAMPSHIRE

His Excellency Francis P. Murphy, Governor and the Honorable General Court:

The Commission for the Study of Occupational Diseases in New Hampshire appointed by Governor H. Styles Bridges in compliance with Chapter 225 of the laws of 1935 (House Joint Resolution No. 144) respectfully submits the following report:

This Commission has investigated the incidence of occupational disease in the State together with the likelihood of occupational diseases developing in the industries now in existence in New Hampshire.

It has studied a large number of publications from National and State departments as well as those of semi-private Foundations and of individual authorities on the subject of industrial diseases.

The state departments of New York and of Massachusetts have been visited and considerable valuable data obtained therefrom. As a result of these studies and after

full discussion your Commission has reached the following conclusions.

1. That occupational diseases in New Hampshire are absolutely and relatively rare although undoubtedly more common than is indicated by any study that has as yet been made.

2. That the greater percentage of such diseases as now exist or potentially exist can be eliminated by more careful preventive measures.

3. That it is unwise at this time to set up a new agency for the handling of claims which would surely arise if legislation is now enacted providing for the coverage of industrial diseases in a manner similar to that at present obtaining for industrial accidents.

4. That a considerable number of conditions which are really diseases and not true accidents are now taken care of by insurance coverage as accidents, e. g. skin eruptions, acute gas poisoning, etc.

5. That before really intelligent legislation can be enacted for the equitable handling of occupational diseases a careful scientific study should be made of the specific problems presenting in New Hampshire.

6. That such a study can be carried out under the provisions of the Social Security Act. The office of Industrial Hygiene and Sanitation of the United States Public Health Service in co-operation with the Committee on Industrial Hygiene of the Conference of State and Provincial Health authorities is now doing such research in various states. The Senior Surgeon of the United States Public Health Service indicates that there is available for New Hampshire a sufficient amount of money from unallocated funds to make this survey. This would be carried out without expense to the State under the direction of the Departments of Labor and of Health.

Upon completion of this survey a report would be prepared for submission by these Departments to the Governor. All that is necessary to start this survey is a request from

the Governor to the United States Public Health Service that it be carried out.

As a result of such a survey an engineer in the employ of the State but paid from funds allocated by the Federal Government would be in an excellent position to continue with a permanent preventive program on a co-operative basis with the State Labor Department. The Department of Labor would continue with its present functions of formulating rules and regulations for the control of health hazards in industry, and the enforcement of these rules and regulations. The Department of Labor would call on the Department of Health for service of a technical nature in connection with the administration of industrial health problems in the State. This procedure has been followed by these two agencies for many years. The addition of a trained industrial hygiene engineer to the Health Department would mean merely that the State Board of Health would be in a position to render more adequate service in this field of public health. The Commission recommends that the necessary request be made by the Governor.

Silicosis

It was considered that the subject of silicosis and its allied conditions was a matter for special study and separate legislation. In view of the extensive investigations which are now being made by the Government regarding silicosis and due to the expectation that much more accurate information will be forthcoming as a result of this study it was not considered wise at this time to recommend legislation covering compensation for cases of silicosis.

The Granite Industry which is our chief source of this condition in this State is in a rather precarious situation and the very heavy additional charge upon it for silicosis coverage would in almost every instance be fatal. In order to properly meet an admittedly dangerous situation it would be necessary to have some State fund to cover the cost of

examinations of those exposed to the silicosis hazard. Such examinations are of necessity expensive as they must include very careful X-ray studies in addition to searching physical examinations.

Silicosis is a disease of slow development and if the burden of compensation is placed upon the last employer prior to its manifestation in a great many instances it will be distinctly unequitable. No employer can afford to assume such risk unless an applicant for employment submits definite proof of his freedom from silicosis at the time of his employment. This obviously works also a distinct hardship upon the applicant employee.

It is felt that at the present time the most that can be accomplished is by further improvement in dust collectors and similar devices for reducing the hazard. Much has already been done in this line but there is still a large opportunity for improvement. At the single granite working plant which the Commission visited the dust hazard is under excellent control and is constantly being reduced. Your Commission believes that at present such prophylactic measures are better for all concerned than will be the institution of compensation legislation. It hopes and expects that within a few years this admittedly troublesome problem will be intelligently solved. Granite and similar workers should have coverage for the type of disease which is apt to develop as a result of their occupations but if this is instituted now it will mean a considerable number of men thrown out of employment and not unlikely the definite closing down of the granite cutting industry in New Hampshire.

From the standpoint of a fellow workman a case of silicosis is not a menace unless it has superimposed upon it an active tuberculosis. Such communicable cases should receive state care and be segregated from their uninfected associates.

This report must be regarded as one of progress rather

than final but it is believed by this Commission to outline what in its opinion is the wisest present course of procedure.

Respectfully submitted for Commission.

ROBERT J. GRAVES, *Chairman.*

STATE OF NEW HAMPSHIRE

COMMISSION FOR THE STUDY OF OCCUPATIONAL DISEASES IN NEW HAMPSHIRE

December 22, 1936.

Mr. Eugene J. O'Neil, the only member of the Commission who dissents from its report desires to file the following minority report:

"The tentative draft of the Commission's report to the Governor and Council has been carefully read by me and as regards the changes I have only the following distinction to apply.

"On page three in the third paragraph the report states that, 'In order to properly meet an admittedly dangerous situation it would be necessary to have some state fund to cover the cost of examinations of those exposed to the silicosis hazard. Such examinations are of necessity expensive as they must include very careful X-ray study in addition to searching physical examinations.' Since the Granite Workers' Organizations, whose members are the ones with whom this Commission is most intimately concerned, are unalterably opposed to physical examinations, I will feel much more free to endorse this report if this opinion of mine is contained at least in a minority report.

"If these physical examinations are allowed, the only result will be the subsequent unemployment suffered by the granite employees and thus the condition will not be ultimately solved. In the State of New York the silicosis compensation law required a physical examination and was un-

successful because the insurance companies raised their premiums so high that the granite sheds were forced to close down. However, the law was amended and the provision requiring a physical examination was removed.

"We of the Commission should have most firmly impressed on our minds the fact that physical exams will not solve the silicosis problem. The only way to do this is by the installation of preventive devices with physical examination of only those who are just being introduced to the granite business."

Very truly yours,

(Signed) EUGENE J. O'NEIL, *Secretary.*

On motion of Senator Cole, further reading of the report was dispensed with, and the report was laid on the table and referred to the Committee on Labor.

ORDER VACATED

On motion of Senator Hamlin, the order whereby House Bill No. 105, An act relating to the posting of piece rate prices, was referred to the Committee on Revision of Laws was vacated and the bill referred to the Committee on Labor.

INTRODUCTION OF BILL

Senator Burque under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Improvements.

Senate Bill No. 53, An act relative to the sale of second-hand watches.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 24, An act relative to closing North River Lake in the towns of Northwood, Nottingham and Barrington to ice fishing.

LULA J. A. MORRIS,
For the Committee.

(Recess)

The Senate re-assembled.

ORDER VACATED

On motion of Senator Hanson, the order whereby Senate Bill No. 53, An act relative to the sale of second-hand watches, was referred to the Committee on Public Improvements was vacated and the bill referred to the Committee on Judiciary.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Blood, the rules were suspended to introduce a committee report not previously advertised in the journal.

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a Committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the joint resolution by striking out at the end thereof the following: "but shall be reimbursed for expenses incurred in the discharge of their duties."

Further amend by adding at the end thereof the following new paragraph: A sum not exceeding two hundred and fifty dollars is hereby appropriated to pay the necessary expenses of said committee, and the Governor is authorized

to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

So that said joint resolution as amended will read:

Whereas, In 1939 will be held the World's Fair in New York City, New York, at which His Excellency Herbert Lehman, Governor of New York, has requested the State of New Hampshire to participate to the extent of exhibiting the resources, industries, recreational attractions, products and general development of this state, and

Whereas, Other states are to participate in response to similar invitations, and be it therefore

Resolved, By the Senate and House of Representatives in General Court convened:

That the Governor be and hereby is authorized to appoint a committee of five members representing the agricultural, commercial, educational, industrial and recreational interests of New Hampshire, to investigate and make a report to the Governor and Council on the desirability of exhibiting the resources, industry, recreational attractions, products and general development of the state at the New York World's Fair, 1939, and to recommend ways and means to attain that purpose, should participation by the state be deemed advisable. All members of said committee shall serve without compensation.

A sum not exceeding two hundred and fifty dollars is hereby appropriated to pay the necessary expenses of said committee, and the Governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, amendments adopted, and the joint resolution ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed.

House Bill No. 24, An act relating to naming that portion of the State Highway between Rochester and Alton Bay.

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, MARCH 4, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Freeman and Randall were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 180, An act relating to garage records and records of public parking places.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary:

House Bill No. 180, An act relating to garage records and records of public parking places.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

House Bill No. 393, An act relating to the issue of bonds by the County of Belknap.

On motion of Senator Stafford, the rules were suspended, reference to committee dispensed with, and the forgoing entitled bill was read a third time and passed.

COMMITTEE REPORTS

Senator Morris, for the Committee on Judiciary, to whom was referred Senate Bill No. 20, An act relating to electrical rates charged by utilities, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being stated, Shall the recommendation of the committee be adopted.

Senator Daniel moved that the bill with the accompanying report be laid upon the table.

On a *viva voce* vote the negative prevailed and the motion was lost, and the recommendation of the committee was adopted.

Senate Bill No. 13, An act relating to the furnishing of incandescent lamps by electric utilities.

Having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the recommendation of the committee adopted.

Senator Morris for the Committee on Judiciary, to whom was referred House Bill No. 173, An act relating to the collection of poll tax, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out the whole of the first section and substituting therefor the following:

Sect. 1. Amend chapter 66 of the Public Laws by adding after section 2 a new section which shall read as follows: 2-a. *Liability of Husband.* The poll tax of any married woman, living with her husband, having no taxable property in her own name, and not engaged in remunerative employment outside the common household, shall be a charge upon her husband, and collectible from him in the same manner as his poll tax. The exemption of the husband from the payment of his poll tax shall not discharge him from the liability imposed by this section.

The report of the committee was accepted and the amendment adopted.

The question being stated, Shall the bill be read a third time.

(Discussion ensued)

Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Senators Morris, Eames, Simpson, Guyer, Stafford, Hanson, Heald, Burque, Eastman, Blood and Conner.

The following named Senators voted in the negative: Senators Hamlin, Wilson, Mahoney, Moran, Daniel, Doe, Calef, Cole and Allen.

Eleven Senators having voted in the affirmative and nine in the negative, the affirmative prevailed, and the bill was ordered to a third reading this afternoon at two o'clock.

RECONSIDERATION OF VOTE

On motion of Senator Morris, the Senate voted to reconsider the vote whereby the foregoing bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Judiciary.

Senator Hanson, for the Committee on Revision of Laws, to whom were referred,

House Bill No. 120, An act to prohibit motor vehicle racing on public ways,

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state-aided highways,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Senator Hanson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 54, An act authorizing the Union School District of the City of Keene to issue notes or bonds for the payment of current expenses.

On motion of the same Senator, the rules were further

suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

Senator Heald under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 55, An act authorizing towns and cities to adopt rural land-use zoning ordinances.

Senator Wilson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

Senator Blood, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

ORDER VACATED

On motion of Senator Blood, the order whereby Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire, was referred to the Committee on the Judiciary was vacated and the joint resolution was referred to the Committee on Labor.

CONFERENCE COMMITTEE

Pursuant to a request for a Senate Committee to confer with the Governor and Council and Tax Commission relative to taxation problems, the President appointed on the part of the Senate Senators Simpson, Wilson, Hamlin, Blood, Calef and Doe.

Senator Hamlin offered the following resolutions:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READING

The following bills were read a third time and passed.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state aided highways.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

On motion of Senator Guyer, the following resolution was adopted:

Resolved, that when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock, and when it adjourns Monday evening it be to meet Wednesday morning at 11:00 o'clock.

On motion of Senator Simpson, the Senate adjourned.

FRIDAY, MARCH 5, 1937.

The Senate met according to adjournment.

Senator Hamlin having assumed the Chair, read the following communication:

Concord, N. H., March 5, 1937.

SENATOR HAMLIN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Hamlin declared the Senate adjourned.

MONDAY, MARCH 8, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 8, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

WEDNESDAY, MARCH 10, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and joint resolution with the following titles and caption in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 69, An act relating to furbearing animals.

House Bill No. 195, An act relative to weights and measures.

House Bill No. 192, An act relating to wages.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts.

House Bill No. 23, An act relating to night fishing in the Androscoggin river.

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Authority of Commissioner of Weights and Measures.* Amend section 41 of chapter 162 of the Public Laws, as amended by section 1, chapter 49 of the Laws of 1929, by striking out the words "public service commission" in line one and inserting in place thereof the words "commissioner of weights and measures," and by striking out the word "commission" where it occurs in the seventh and tenth

lines and inserting in place thereof the word "commissioner," so that said section as amended shall read as follows: "41. *Standards.* The commissioner of weights and measures shall fix reasonable standards with respect to the amount of bone, slate or other foreign substances which may be contained in anthracite coal or coke sold as standard coal or coke within this state. Such standards shall be set forth in an order or orders, and shall take effect at such time as shall be stated therein and remain in force until modified by the commissioner. In fixing such standards due regard shall be had for the custom of the trade as carried on by reputable dealers, and the orders of the commissioner shall be designed to protect the public from imposition."

On motion of Senator Hamlin, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 54, An act authorizing the Union School District of the City of Keene to issue notes or bonds for the payment of current expenses.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line.

READ AND REFERRED

The following entitled bills and joint resolution sent from the House of Representatives were read a first and second time and referred.

To the Committee on Fisheries and Game:

House Bill No. 23, An act relating to night fishing in the Androscoggin river.

House Bill No. 69, An act relating to furbearing animals.

To the Committee on Labor:

House Bill No. 192, An act relating to wages.

To the Committee on Revision of Laws:

House Bill No. 195, An act relative to weights and measures.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

To the Committee on Revision of Laws:

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts.

To the Committee on Finance:

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

COMMITTEE REPORTS

Senator Calef for the Joint Committee on Military Affairs and Finance, to whom was referred House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans Association, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 37, An act to prevent fraud, and misrepresentation in the sale of liquid fuels, lubricating oils and similar products and to prevent adulteration of any such product, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report of the committee was accepted and recommendations adopted.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revisions of Laws.

Senate Bill No. 59, An act relating to the practice of chiropractic.

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 34, An act relating to actions for malpractice.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state-aided highways.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 231, An act relative to contested elections.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Senate Bill No. 42, An act relating to the land use board.

Senate Bill No. 54, An act authorizing the Union School District of the city of Keene to issue notes or bonds for the payment of current expenses.

House Bill No. 24, An act relating to naming that portion of the state highway between Rochester and Alton Bay.

House Bill No. 84, An act relating to assignment of counsel.

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Bill No. 144, An act relating to inspection of nurseries and nursery stock.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

HAVEN DOE,
For the Committee.

BILL RECALLED FROM GOVERNOR

On motion of Senator Wilson the following resolution was adopted:

Resolved, that the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 20, An act relating to unemployment in the city of Berlin, and in the county of Coos.

BILL RETURNED FROM GOVERNOR

Pursuant to the foregoing resolution His Excellency the Governor, returned to the Senate for further consideration the following entitled bill:

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the county of Coos.

On motion of Senator Wilson the rules were so far suspended as to allow the reconsideration of the vote on the foregoing bill.

On motion of the same Senator the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of the same Senator the bill was recommitted to the Committee on the Judiciary.

(Recess)

The Senate re-assembled.

On motion of Senator Doe, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following joint resolution was read a third time and passed:

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

On motion of Senator Moran the Senate adjourned.

THURSDAY, MARCH 11, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Calef was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

Amend section 1 of said bill by inserting after the words "Public Laws" the words, as amended by chapter 63, Laws of 1927, chapter 38, Laws of 1929, and chapter 101, Laws of 1933.

Amend section 2 of said bill by striking out the number "3a" in the third line. Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Corporations.* Amend section 5, chapter 284 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 5. *Status as Dealers in Securities.* Such corporation and its officers, agents and employees so licensed shall be regarded as dealers in securities under the provisions of this chapter. By December first of each year such licensees shall furnish to the commissioner upon a form to be furnished by him under the oath of such responsible officer of the corporation as the commissioner may require an annual financial statement for the period ending June thirtieth of each year exhibiting with reasonable detail assets, liabilities, profit and loss of the corporation for said period.

Amend section 4 of said bill by striking out the number "8a" in the third line and by striking out the word "to" in the thirteenth line and inserting in place thereof the word, of.

Amend section 8 of said bill by striking out the number "24a" in the third line and by striking out the word "to" in the thirteenth line and inserting in place thereof the word, of.

Amend section 9 of said bill by inserting a comma after the word "individual" in the fourth line.

Amend section 10 of said bill by striking out the number "26a" in the third line and by inserting a comma after the word "Hampshire" in the seventh line.

Amend section 11 of the said bill by striking out the same and inserting in place thereof the following:

11. *Repeal.* Section 28 of chapter 284 of the Public Laws relating to the limitation on prohibited sales of securities is hereby repealed.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has passed the following bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 396, An act relating to hours of labor for women and minors.

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

READ AND REFERRED

The following entitled bills and joint resolution sent up from the House of Representatives were read a first and second time and referred

To the Committee on Judiciary,

House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation.

To the Committee on Labor,

House Bill No. 396, An act relating to hours of labor for women and minors.

To the Committee on Finance,

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom were referred

Senate Bill No. 3, An act relating to the sale of appliances by public utilities.

Senate Bill No. 49, An act abolishing the penalty for delinquent payment of Manchester Gas Company bills.

Having considered the same, reported the same with the following resolution:

Resolved, That they are inexpedient to legislate.

The reports were accepted and recommendations of the Committee adopted.

Senator Calef for the Committee on Finance, to whom was referred, House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927, having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the resolution by adding after the word, charge, in line 7 the following words, not to exceed one thousand dollars, so that the resolution as amended shall read as follows:

That the Secretary of State be and hereby is directed to cause to be printed six hundred additional copies of the Laws of 1927, four hundred of which shall be bound. The cost of the printing hereby authorized shall be a charge not to exceed one thousand dollars upon the appropriation for legislative expense.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

Having considered the same, reported the same under joint rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first sentence thereof and inserting in place thereof the following:

The county commissioners of the county of Belknap are hereby empowered and authorized to issue for and in behalf of said county serial bonds to an amount not exceeding one hundred and fifty thousand dollars for the purpose of refunding outstanding notes of said county.

The report was accepted, amendment adopted, and the bill as amended was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 120, An act to prohibit motor vehicle racing on public ways,

Having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

Motor Vehicle Racing Prohibited. Amend chapter 103 of the Public Laws by inserting after section 18 thereof as amended by chapter 76, Laws of 1927, the following new section: 18-a. *Road Racing.* It shall be unlawful for any person to conduct or participate in any prearranged motor vehicle race on any public way in this state at any time. Whoever violates any of the provisions of this section shall be fined not more than two hundred dollars or imprisoned not more than six months or both such fine and imprisonment.

The report was accepted, amendment adopted, and the bill as amended was sent to the House of Representatives for concurrence in the Senate amendment.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled joint resolution was read a third time and passed.

House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927.

On motion of Senator Randall, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, MARCH 12, 1937.

The Senate met according to adjournment.

Senator Calif having assumed the Chair, read the following communication:

Concord, N. H., March 12, 1937.

SENATOR CALIF:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

On motion of Senator Freeman the Senate adjourned.

MONDAY, MARCH 15, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 15, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MARCH 16, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and joint resolutions, with the following titles and captions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 200, An act to legalize certain investments by trustees.

House Bill No. 346, An act relative to settlement of suits brought for minors.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Bill No. 257, An act making appropriation for a program of service to crippled children.

House Bill No. 258, An act providing for serving of legal process on non-residents.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

House Joint Resolution No. 79, Joint resolution relating to index of session laws.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill and joint resolution sent down from the Honorable Senate:

Senate Bill No. 36, An act to amend the charter of L'Union St. Jean Baptiste Society in Nashua.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 80, Joint resolution for the reprinting of the Laws of 1927.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill and joint resolution.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Revision of Laws:

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Bill No. 258, An act providing for serving of legal process on non-residents.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

To the Committee on the Judiciary:

House Bill No. 200, An act to legalize certain investments by trustees.

House Bill No. 346, An act relative to settlement of suits brought for minors.

House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937.

Senator Guyer moved that the rules be suspended, reference to committee dispensed with, and the foregoing bill be read a third time and passed.

(Discussion ensued)

Senator Guyer withdrew his motion, and the foregoing bill was referred to the Committee on the Judiciary.

To the Committee on Finance:

House Bill No. 257, An act making appropriation for a program of service to crippled children.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

House Joint Resolution No. 79, Joint resolution relating to index for session laws.

To the Committee on Claims:

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

INTRODUCTION OF BILLS

Senator Hamlin, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and sec-

ond time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senator Blood, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Senate Bill No. 62, An act relating to the protection of the public health.

COMMITTEE REPORTS

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 188, An act relative to marriage by a party under the age of consent, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred, House Bill No. 53, (in new draft), An act relating to legacy receipts.

Senate Bill No. 56, An act relative to the placing out of infants,

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 223, An act relating to the sale of lightning rods,

Having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Morris for the Committee on the Judiciary, to whom were referred House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds,

House Bill No. 163, An act relating to vacancies in county offices,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 243, An act relating to criminal appeals,

Having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the words "and the said appeal shall be entered by the appellant within thirty days of the taking of said appeal" the words "unless for good cause shown the time is extended by the superior court"; so that as amended said section shall read:

1. *Appeals.* Amend section 2 of chapter 366 of the Public Laws as amended by section 1 of chapter 10 of the Laws of 1927, by striking out the words "at the term next to be holden in the county" in the first sentence thereof and substituting therefor the words "and said appeal shall be entered by the appellant within thirty days of the taking of said appeal unless for good cause shown the time is extended by the superior court" so that as amended said section shall read:

2. *Appeals.* A person sentenced for an offence, by a municipal court or justice of the peace, may, at the time such sentence is declared, appeal therefrom to the superior court. The fees for copies sent to the superior court, and said appeal shall be entered by the appellant

within thirty days of the taking of said appeal unless for good cause shown the time is extended by the superior court shall be taxed in the bill of costs. In all criminal cases which are appealed from a justice or a municipal court, or in which defendants are bound over by a justice or a municipal court, it shall be the duty of the clerk of the superior court to transmit to the justice or the municipal court, within ten days after such case is finally disposed of in the superior court, a certificate showing the final disposition of such case.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

ORDER VACATED

On motion of Senator Blood the order whereby House Joint Resolution No. 5, Joint resolution in favor of the town of Errol, was referred to the Committee on Finance, was vacated and the joint resolution was referred to the Committee on Claims.

APPOINTMENT

The president appointed as temporary telephone messenger Charles W. Robinson, of Milford, during the illness of the regular telephone messenger, Fred Rushlow.

On motion of Senator Hamlin the following resolution was adopted.

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 53 (in new draft), An act relating to legacy receipts.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

House Bill No. 163, An act relating to vacancies in county offices.

House Bill No. 243, An act relating to criminal appeals.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, MARCH 17, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 72, An act relating to fire escapes.

House Bill No. 76, An act to provide for the examination and for the use of voting machines, at elections.

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government.

House Bill No. 267, An act relating to the sale of fuel wood.

House Bill No. 324, An act relating to payment of wages.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

The message further stated that the House of Representatives has recalled from His Excellency the Governor House Bill No. 166, An act relative to the salary received

by the Special Justice of the Municipal Court of Nashua for the purpose of amendment.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary:

House Bill No. 76, An act to provide for the examination and for the use of voting machines, at elections.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

To the Committee on Revision of Laws:

House Bill No. 72, An act relating to fire escapes.

House Bill No. 267, An act relating to the sale of fuel wood.

House Bill No. 324, An act relating to payment of wages.

To the Committee on Forestry:

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government.

COMMITTEE REPORTS

Senator Calef for the Joint Committee on Military Affairs and Finance, to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, having considered the same, report the same with the following amendments and recommend that the joint resolution as amended ought to pass:

Amend said resolution by striking out the words "and the governor is authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated" and inserting in place thereof the words; the sum herein appropriated shall be a charge upon the unexpended balance of the fund provided for by chapter 140 of the Laws of

1919 and chapter 1 of the Laws of the Special Session of 1919;

Further amend said resolution by inserting after the words "chapter 1" the words, of the Laws;

Further amend said resolution by striking out the words and figures "three thousand dollars ($3,000)" in the first line of the resolution and substituting in place thereof the words and figures, three thousand and ninety dollars ($3,090);

So that said resolution as amended shall read as follows:

That the sum of three thousand and ninety dollars ($3,090) is hereby appropriated for the payment of bonus to those residents of New Hampshire who would have been entitled to the bonuses provided by chapter 140 of the Laws of 1919 and chapter 1 of the Laws of the Special Session of 1919 and who have heretofore and since June 30, 1926, made application therefor, or who may hereafter make application therefor; and the state treasurer is hereby authorized to make payments therefor to those whose names appear on the records in the office of the adjutant general as entitled thereto or to the legal representatives or heirs of such as have died. The sum herein appropriated shall be a charge upon the unexpended balance of the fund provided for by chapter 140 of the Laws of 1919 and chapter 1 of the Laws of the Special Session of 1919.

The report was accepted, amendments adopted, and the joint resolution was ordered to a third reading this afternoon at two o'clock.

Senator Freeman for the Committee on Liquor Laws, to whom were referred:

Senate Bill No. 12, An act to repeal chapter 149 of the Laws of 1935 increasing the fees for permits to sell beverages,

Senate Bill No. 21, An act relating to the powers of the State Liquor Commission,

Senate Bill No. 30, An act amending chapter 99 of the

Laws of 1933, as amended by chapter 149 of the Laws of 1935, exempting the payment of certain fees imposed thereby upon the sale of beverages manufactured in this State,

Having considered the same, report the same with the following resolution:

Resolved, That they are inexpedient to legislate.

The reports were accepted and recommendations of the committtee adopted.

Senator Morris for the Committee on Judiciary, to whom was referred Senate Bill No. 58, An act to amend the charter of Clark School Foundation, having considered the same, report the same without amendment and recommend its passage.

The report of the committee was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Simpson for the Committee on Education, to whom was referred House Bill No. 374, An act relating to the transportation of high school pupils, having considered the same, report the same without amendment and recommend its passage.

The report of the committee was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Heald for the Committee on Labor, to whom was referred House Bill No. 396, An act relating to hours of labor for women and minors, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities, having considered the same, report the same under joint rule No. 6, with the following amendment and recommend that the bill as amended ought to pass:

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Authority of Agents.* Amend chapter 284 of the Public Laws by inserting after section 24 thereof the following section: 24-a. *Limitations.* No limitations on the authority of the agent of any dealer, not customary in the business, shall be effective to protect the dealer from liability to innocent third persons dealing with such agent.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Approval of Sale.* Amend chapter 284 of the Public Laws by inserting after section 28 thereof the following section: 28-a. *Qualification of Securities.* No registered dealer or his salesmen or agents shall sell or offer for sale securities, except those legal for investments for savings banks in this state, unless such sale has been approved by the commissioner. A dealer desiring to qualify such securities shall submit to the commissioner such descriptive, statistical or documentary information as he may require. The commissioner shall within five days after such information is submitted approve or disapprove the sale of such securities and so notify the dealer. The commissioner may prescribe rules and regulations to carry out the purposes hereof.

On motion of Senator Doe, the amendments were adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

House Bill No. 27, An act relative to the board of public works of the city of Concord.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

HAVEN DOE,
For the Committee.

On motion of Senator Guyer, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

RESOLUTION

On motion of Senator Doe, the following resolution was adopted:

Resolved, That the Senate has learned with sorrow of the death of Fred A. Rushlow, of Concord, telephone messenger of the present session of the Legislature, and when the Senate adjourns today it be in memory of Fred A. Rushlow.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

House Bill No. 374, An act relating to the transportation of high school pupils.

House Bill No. 396, An act relating to hours of labor for women and minors.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

On motion of Senator Moran, the Senate adojurned in memory of Fred A. Rushlow.

THURSDAY, MARCH 18, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 96, An act to make uniform the transfer of stock.

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 233, An act relating to taking aureolus trout.

House Bill No. 335, An act regarding the compensation of county commissioners.

House Bill No. 382, An act relative to laying out of highways.

House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire.

House Bill No. 406, An act in relation to tax collectors.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 243, An act relating to criminal appeals.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Fisheries and Game:

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 233, An act relating to taking aureolus trout.

To the Committee on the Judiciary:

House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire.

House Bill No. 406, An act in relation to tax collectors.

To the Committee on Revision of Laws:

House Bill No. 166, An act relative to the salary of the special justice of the Municipal court of Nashua.

On motion of Senator Burque, the rules were suspended, reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

To the Committee on Revision of Laws:

House Bill No. 96, An act to make uniform the transfer of stock.

To the Committee on Towns and Counties:

House Bill No. 335, An act regarding the compensation of county commissioners.

To Joint Committee on Public Improvements and Finance:

House Bill No. 382, An act relative to laying out of highways.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution which was read a first and second time, laid upon the table to be printed and referred to the Committee on Finance.

Senate Joint Resolution No. 5, Joint resolution in favor of the Superior Court.

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure on interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senator Blood under a suspension of rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's Disease and tuberculosis in cattle

Senator Blood under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 67, An act to provide for a merit or civil service system for state employees.

Senator Stafford under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

ORDER VACATED

On motion of Senator Hanson, the order whereby House Bill No. 335, An act regarding the compensation of the County Commissioners, was referred to the Committee on Towns and Counties was vacated and the Bill was recommitted to the Committee on Revisions of Laws.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 14, An act relating to the tenure of offices and employments, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Hamlin for the Committee on Agriculture, to whom was referred House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked, having considered the same reported the same without amendment and recommended its passage.

The report of the Committee was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Randall for the Committee on Labor, to whom was referred Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire, having considered the same, reported the same without amendment and recommended its passage.

The report of the Committee was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 163, An act relating to vacancies in county offices, having considered the same,

reported the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *County Offices.* Amend chapter 36 of the Public Laws by inserting after section 8 the following new section: 8-a. *Temporary Vacancies.* If any person holding either of such offices shall, by reason of illness, accident, absence from the state or other cause, become temporarily incapacitated and unable to perform the duties of his said office, the superior court may, upon application of the solicitor or a majority of the county commissioners, declare a temporary vacancy and fill the same, in the manner provided in section 9, for a limited period of time expressed in the appointment and may extend or shorten said period to meet the situation, and may award proper compensation to the appointee for services and expenses.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 53, An act relating to legacy receipts, having considered the same, reported the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figure "a new section numbered 18-a as follows" in the second and third lines and inserting in place thereof the words, the following new section.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 396, An act relating to hours of labor for women and minors.

LULA J. A. MORRIS,
For the Committee.

The President invited Senator Daniel to assume the chair.

Senator Daniel having assumed the chair, declared a short recess.

(Recess)

The Senate re-assembled with President Alexander presiding.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill and joint resolution were read a third time and passed.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

Senate Joint Resolution No. 4, Joint resolution establishing a Commission for the study of occupational diseases in New Hampshire.

On motion of Senator Moran, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Daniel, the Senate adjourned.

FRIDAY, MARCH 19, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 19, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MARCH 22, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 22, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MARCH 23, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Stafford was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 196, An act relating to the sale of meat, fish and fowl.

House Bill No. 219, An act relating to foreign insurance companies and their agents.

House Bill No. 286, An act defining house trailers.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

House Bill No. 336, An act relative to speed regulation for the operation of motor vehicles.

House Bill No. 115, An act relating to permits for the registration of motor vehicles.

House Bill No. 403, An act relating to deposits by state treasurer.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

Amend section 1 of said bill by striking out the word "intervening" in the thirteenth line and the words "unless the town has previously voted upon the same question within one year" in the fourteenth and fifteenth lines, so that said section as amended shall read as follows:

1. *Town Warrant.* Amend section 3 of chapter 45 of the Public Laws by striking out said section and inserting in place thereof the following: 3. *Articles.* Upon the written application of ten or more voters or one-sixth of the voters in town, presented to the selectmen or one of them at least sixteen days before the day prescribed for an annual or biennial meeting, the selectmen shall insert in their warrant for such meeting any subject specified in such application. Upon the written application of fifty or more voters or one-fourth of the voters in town, so presented not less than sixty days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The word "voters" in this section shall mean persons listed as such in the last previous revision of the check-list.

On motion of Senator Guyer, the Senate voted to concur with the House of Representatives in the adoption of the amendment.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled joint resolution:

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 53 (In New Draft), An act relating to legacy receipts.

House Bill No. 163, An act relating to vacancies in county offices.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 28, An act relating to the taking of salt water smelts.

READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis.

To the Committee on Judiciary:

House Bill No. 336, An act relative to speed regulation for the operation of motor vehicles.

To the Committee on Revision of Laws:

House Bill No. 115, An act relating to permits for the registration of motor vehicles.

House Bill No. 196, An act relating to the sale of meat, fish and fowl.

House Bill No. 219, An act relating to foreign insurance companies and their agents.

House Bill No. 286, An act defining house trailers..

House Bill No. 403, An act relating to deposits by state treasurer.

To the Committee on Public Health.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

COMMITTEE REPORTS

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 195, An act relative to weights and measures, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Wilson for the Committee on the Judiciary, to whom was referred Senate Bill No. 60, An act to amend the Charter of the Trustees of the Protestant Episcopal Church in New Hampshire, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 1 and substituting therefor the following:

1. *Property Authorized.* An act entitled "An act to incorporate sundry persons by the name of the Trustees of the Protestant Episcopal Church in New Hampshire."

Approved July 10, 1846, as amended by an act approved June 29, 1853, an act approved June 28, 1877; and by chapter 265 of the Laws of 1931, is further amended by striking out section 1 of said chapter 265 of the Laws of 1931 and substituting therefor the following: "The Trustees of the Protestant Episcopal Church in New Hampshire may receive and hold in trust or otherwise by subscription, grants, gifts, bequests or otherwise real and personal estate not exceeding in value at any one time the sum of one million five hundred thousand dollars, and the same or the income thereof may invest, reinvest or appropriate for the benefit of the Protestant Episcopal Church in New Hampshire said corporation by its by-laws or votes may direct, and as the conditions of the trust shall prescribe."

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Hamlin, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 69, An act relating to licenses to operate motor vehicles.

Senator Mahoney, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 70, An act in amendment of section 2, chapter 127 of the Laws of 1935, entitled "An Act Providing for Assistance to Aged and Dependent Persons."

Senator Cole, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 71, An act to establish a water control commission.

The President requested the Clerk to read the following communication:

Senators:

I believe it my duty to call to your attention a committee action which I feel is decidedly out of order in our legislative work. I refer to joint hearings of House and Senate Committees. With one exception it is absolutely wrong. That exception is the study of the budget by the Finance and Appropriations Committees. In this instance all the witnesses are heads of departments or institutions. At all other hearings any citizen of the state has a right to appear. By this act of committee union I think at least in spirit both the rules of the Senate and the Constitution of the state

are not correctly observed. The Senate is the highest and last step in legislative procedure. The Committees are duty bound to study all bills placed in their hands and all evidence given them, impartially, conscientiously to determine whether such bills should become laws; uninfluenced in any degree by any argument of the House or its Committees. When you act in joint committees you are first, out-voted three to one; second, you cannot come back into the Senate with unbiased minds or minds free from some feeling of obligation to the House committee; third, it causes great loss of interest in the Senate committee hearings, the evidence already having been given to you in joint hearing, why should any one appear before you again? In fact this procedure tends to make the Senate a rubber stamp which destroys the whole principle upon which the Senate is founded. Only in rare instances I believe should such hearings be held.

ANSON C. ALEXANDER,
President.

The President declared a short recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READING

The following entitled bill was read a third time and passed:

Senate Bill No 60, An act to amend the Charter of the Trustees of the Protestant Episcopal Church in New Hampshire.

APPOINTMENT

The President appointed Charles W. Robinson, of Milford, permanent telephone messenger to succeed the late Fred A. Rushlow.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, MARCH 24, 1937.

The Senate met according to adjournment.

Senator Hamlin in chair.

LEAVES OF ABSENCE

Senators Hanson and Moran were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by the Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 392, An act accepting the provisions of the act of Congress for the further development of cooperative agricultural extension work.

House Bill No. 394, An act relating to lines of telegraph and other companies in highways.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan.

Amend section 2 by striking out the whole of said section and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect at the primary election of 1938 and all acts and parts of acts inconsistent with this act are hereby repealed.

On motion of Senator Doe, the Senate voted to concur in the amendment sent down by the House of Representatives.

The message further stated that the House of Representatives has passed the following resolution:

Whereas, the National Commander of the American Legion, the Honorable Harry W. Colmery of Topeka, Kansas, will on April 8, 1937, pay an official visit to this state as guest of his comrades of the American Legion; therefore,

Be It Resolved, that he be invited to address this House at 11:30 A. M., on April 8th; and

Be It Further Resolved, that His Excellency the Governor, the Honorable Council, and the Honorable Senate be invited to join with us on this occasion.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Revision of Laws:

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

To the Committee on Agriculture:

House Bill No. 392, An act accepting the provisions of the act of Congress for the further development of cooperative agricultural extension work.

To the Committee on Claims:

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 67, Joint Resolution providing for marking a monument in cemetery in Hudson, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 346, an act relative to the settlement of suits brought for minors,

House Bill No. 384, An act legalizing the November election in the Town of Londonderry,

House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937, having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 53, An act relative to the sale of second hand watches, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report of the Committee was accepted and recommendation adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 53, An act relating to legacy receipts.

House Bill No. 163, An act relating to vacancies in county offices.

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

Senate Bill No. 36, An act to amend the charter of L'Union St. Jean Baptiste Society in Nashua.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the state of New Hampshire at the New York World's Fair, 1939.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILL

Senator Heald, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

ORDER VACATED

On motion of Senator Eames, the order whereby House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis, was referred to the Committee on Claims was vacated.

On motion of the same Senator, the joint resolution was ordered to a third reading at the present time and passed.

On motion of Senator Doe, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

House Bill No. 346, An act relative to the settlement of suits brought for minors.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

House Bill No. 415, An act legalizing the proceedings of the Annual Town Meeting held in the town of Bristol, March 9, 1937.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, MARCH 25, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Randall was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence, of Claremont.

READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred

To the Committee on Claims:

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure in interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas Pond to Wicwas Lake.

House Bill No. 383, An act establishing a commission for the protection of the wealth and income of the people of New Hampshire.

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on Judiciary, to whom was referred House Bill No. 200, An act to legalize certain investments by trustees, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Heald for the Committee on Revision of Laws, to whom was referred House Bill No. 335, An act regarding the compensation of county commissioners, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amnd the bill by striking out Section 1 and inserting in place thereof the following:

Section 1. *Cheshire County.* Amend section 28 of chapter 38 of the Public Laws, as amended by chapter 111 of the Laws of 1927, and chapter 153 of the Laws of 1931 and chapter 186 of the Laws of 1933 and chapter 154 of the Laws of 1935, by striking out the words "seven hundred" after the word "Cheshire," and inserting in place thereof the words "one thousand," so that the said section as amended shall read as follows:

28. *Salaries.* The annual salary for each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, ten hundred dollars;
In Strafford, twelve hundred dollars;
In Belknap, nine hundred dollars;
In Merrimack, ten hundred dollars;
In Hillsborough, twenty-one hundred dollars;
In Cheshire, one thousand dollars;
In Sullivan, nine hundred dollars;
In Grafton, ten hundred dollars;

In Carroll and Coos counties each commissioner, when employed in the business of the county and in inspecting the taxable property of the towns as provided in section 26, shall receive five dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties except Strafford, a reasonable sum for all necessary expenses, upon order of the county auditors.

On motion of Senator Wilson, further reading of the amendment was dispensed with, the report of the Committee was accepted, amendment adopted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Agriculture, to whom was referred Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by inserting after section 2 a new section to be known as section 2A:

2A. Amend section 54, chapter 187 of the Public Laws, as amended by section 2, chapter 169, Laws of 1929, as amended by section 4, chapter 23 of the Laws of 1931, by striking out the word "accredited" in line seven and adding after the word "herds" in line seven "or Bang's Disease free herds"; so that said section as amended shall read as follows:

54. *Importations.* In no case shall compensation be allowed for any animals destroyed which may have contracted, or been exposed to, such disease in a foreign country, or on the high seas, or which have been brought or shipped into this state, within three months previous to showing evidence of such disease, except animals that have been imported directly from tuberculosis-free herds, or Bang's disease free herds, and are accompanied by properly approved health charts certifying to same; and the owner or person in possession thereof shall furnish satisfactory evidence as to the time during which such animals have been owned in the state.

The report was accepted, amendment adopted and the bill referred to the Committee on Finance under the rules.

The President declared a recess.

(Recess)

The Senate reassembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 126, Joint resolution rela-

tive to a commission for investigation of the purchase of school supplies.

READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred to the Committee on Education:

House Joint Resolution No. 126, Joint resolution relative to a commission for investigation of the purchase of school supplies.

On motion of Senator Morris, the rules were suspended, reference to committee dispensed with and the foregong joint resolution was read a third time and passed.

INTRODUCTION OF BILLS

Senator Conner under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

On motion of Senator Conner, the rules were suspended, printing and reference to committee dispensed with, and the foregoing bill was read a third time and passed.

Senator Cole under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 74, An act relative to the payment of poll taxes as a prerequisite to receipt of motor vehicle permits for registration or fishing and hunting licenses.

Senator Doe under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 75, An act prohibiting wilful or malicious interference with or harm to horses used for racing, and prescribing penalties therefor.

ORDER VACATED

On motion of Senator Blood, the order whereby House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner, was referred to the Committee on Finance was vacated and the joint resolution referred to the Committee on Judiciary.

PERSONAL PRIVILEGE

Senator Blood rose to a question of personal privilege and requested the Clerk to read the following signed statement:

For the information of the Senate members who have not been members of committees having joint meetings with similar committees of the House, it is possibly fair to state that as far as I can determine these meetings have been held purely for public hearings at which the members of the committee do not discuss the subject of the hearing. The object of the hearing in the case of the Budget hearings has been to enable the Senate to get all of the information which the Appropriation Committee has gotten without the necessity of making the heads of departments and institutions appear before both committees and give the same information to each.

In the case of other joint committee hearings of the House and Senate Committees, the purpose has been to allow the public who have to come some distance for hearings to present their case to the committees of the House and Senate who must in keeping with the rules of each body hold public hearings.

In particular instances where joint committee meetings

have been held, it is our belief that the committees sitting jointly with House Committees where identical bills have been introduced in each branch of the Legislature fuller and more complete information is received by the Senate Committees than they would have otherwise received.

Voting and discussions by the committees in executive session have always been in separate meetings which leaves each committee free to make a decision uninfluenced by the members of the other committees.

It is the hope and belief of the Finance Committee that we are in a better position to act with less delay on the Budget because of having sat in at the budget hearings.

ROBERT O. BLOOD,
PHILIP C. HEALD.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure in interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas Pond to Wicwas Lake.

House Bill No. 383, An act establishing a commission for

the protection of the wealth and income of the people of New Hampshire.

House Bill No. 335, An act regarding the compensation of County Commissioners.

On motion of Senator Heald, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Eames, the Senate adjourned.

FRIDAY, MARCH 26, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 26, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MARCH 29, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., March 29, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MARCH 30, 1937.

The Senate met according to adjournment.

Senator Mahoney in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 6, An act relating to taking of raccoon.

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred to the Committee on Fisheries and Game,

House Bill No. 6, An act relating to taking of raccoon.

To the Committee on the Judiciary,

House Bill No. 417, An act authorizing the Conway Village fire district to issue refunding notes or bonds.

COMMITTEE REPORTS

Senator Moran for the Committee on Public Health, to whom was referred Senate Bill No. 62, An act relating to the protection of the public health, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators,

House Bill No. 72 (in new draft), An act relating to fire escapes,

House Bill No. 127, An act relating to permits for the registration of motor vehicles,

House Bill No. 258, An act providing for serving of legal process on non-residents,

House Bill No. 324, An act relating to payment of wages, having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 267, An act relating to the sale of fuel wood, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked, having considered the

same, reported the same under Joint Rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Sale of Apples.* Amend the Public Laws by inserting after chapter 165, as inserted by chapter 199 of the Laws of 1927, and as amended by chapter 23 of the Laws of 1931, and chapter 85 of the Laws of 1933, the following new chapter:

165-a. Sale of Apples in other than closed packages.

1. *Grades.* The terms to be used in selling, offering, exposing for sale or advertising apples for sale or exchange or distribution in any manner except when packed in closed packages shall be as follows:

I. Extra Fancy shall mean apples conforming to the standards for extra fancy grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 25 of the Laws of 1931.

II. Fancy shall mean apples conforming to the standards for fancy grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

III. Utility shall mean apples conforming to the standards for B Grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

IV. Choice shall mean apples not less than twenty-five per cent of which conform to the standards for fancy grade and the remainder to the standards for B grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

V. Cooking shall mean any apples not coming within the standards hereinbefore defined.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Tolerance.* In order to allow for variations incident to commercial grading and handling not more than ten per cent, by weight, of the apples in any lot may be below the requirements of the grade with which the lot is marked.

Amend section 4 by striking out the words "within the amount appropriated therefor" in the fifth line.

Amend section 8 of said bill by renumbering the same to read section 2.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 374, An act relating to transportation of high school pupils, having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Transportation.* Amend chapter 117 of the Public Laws by inserting after section 6 the following new section: 6-a. *Pupils Under Fourteen Years of Age.* The district shall furnish transportation as provided in section 6 to all pupils under the age of fourteen years in grades above the eighth and in districts not maintaining a high school, in which the school board has neglected or refused to furnish further instruction in the schools of the district as provided in section 28 of chapter 119 of the Public Laws, the district shall furnish to such pupils reasonable transportation to an approved high school.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and

found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 346, An act relative to settlements of suits brought for minors.

House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis.

House Joint Resolution No. 126, Joint resolution relative to a commission for investigation of the purchase of school supplies.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILL

Senator Hamlin, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

The President declared a recess.

(Recess)

The Senate re-assembled.

RECONSIDERATION

On motion of Senator Cole, the Senate voted to reconsider the vote whereby House Bill No. 324, An act relating to payment of wages, was ordered to a third reading.

On motion of the same Senator the foregoing entitled bill was ordered recommitted to the Committee on Revision of Laws.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 62, An act relating to the protection of the Public Health.

House Bill No. 72 (In New Draft), An act relating to fire escapes.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Bill No. 258, An act providing for serving of legal process on non-residents.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, MARCH 31, 1937.

The Senate met according to adjournment.

Senator Simpson in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate: House Bill No. 177 (in new draft and title), An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendment to the following entitled bill:

House Bill No. 335, An act regarding the compensation of County Commissioners.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendment in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 10 (in new draft) An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

Amend section two of said bill by striking out in lines 10 and 21 the word "January" and inserting in place thereof the word April, so that said section as amended shall read:

2. *What Used.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle so operated, provided, however, that for the period from April first to March thirty-first, inclusive, in any year the owner of a motor vehicle, trailer, semi-trailer or tractor, which has been properly registered in accordance with the provisions

of law for the preceding calendar year may display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said number plates of said preceding year in place of the number plates then in use. Such motor vehicles, trailers, semi-trailers and tractors displaying such number plates of the preceding year shall be deemed to be properly registered for the period in any year from April first to March 31st inclusive.

On motion of Senator Cole, the Senate voted to refuse to concur in the amendment and requested a committee of conference.

Pursuant to the foregoing motion, the President appointed as members on the part of the Senate Senators Cole and Wilson.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 243, An act relating to criminal appeals.

Amend section 3 of said bill by inserting the words, the date, of, after the word "after" in the ninth line.

On motion of Senator Wilson, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on the Judiciary.

House Bill No. 177 (in new draft and title), An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance. to whom

was referred Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and Tuberculosis in cattle, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by changing "2A" to read 3, and renumbering the following sections to read 4, 5, 6, 7, 8, 9, and 10.

The report was accepted.

The question being stated, shall the amendment offered by the Committee be adopted?

Senator Randall moved that the bill with accompanying report be laid upon the table.

Senator Blood demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Eames, Freeman, Randall, Wilson and Mahoney.

The following named Senators voted in the negative: Senators Morris, Guyer, Stafford, Hamlin, Hanson, Heald, Burque, Eastman, Blood, Moran, Daniel, Doe, Calef, Cole, Conner and Allen.

Six Senators having voted in the affirmative and sixteen Senators having voted in the negative, the negative prevailed and the motion to lay upon the table was lost.

The question being stated, shall the amendment offered by the committee be adopted?

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 173, An act relating to the collection of poll tax, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate on account of its unconstitutionality.

The report was accepted and recommendation of the committee adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting before the word "election" in the fifth line the words, nomination and.

Further amend said bill by striking out all of section 2.

On a *viva voce* vote, the amendment was adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF BILL

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 77, An act relating to witnesses.

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That when the Senate adjourns this afternoon it be in memory of former Governor, Albert O. Brown.

The Chair declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed:

Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle.

On motion of Senator Burque, the Senate adjourned.

THURSDAY, APRIL 1, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Guyer, Randall, Mahoney and Morris were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and a joint resolution. in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 118 (in new draft) an act relating to pickerel.

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority.

House Bill No. 281, An act to create a State Board of Accountancy.

House Bill No. 401, An act establishing commissioner districts in the county of Coos.

House Bill No. 410, An act re-establishing a secondary highway system.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton, March 9, 1937.

House Joint Resolution No. 121, Joint Resolution relating to the New England Council Advertising fund.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 374, An act relating to transportation of high school pupils.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

The message further stated that the House of Representatives has acceded to the request of the Honorable Senate in asking for a committee of conference on Senate Bill No. 10 (in new draft), An act relating to an extended use of number plates on motor vehicles, trailers. semi-trailers and tractors, and the Speaker has appointed as members on the part of the House, Messrs. Saltmarsh, Pillsbury, of Derry. and Pridham, of Newcastle.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Fisheries and Game,

House Bill No. 118 (in new draft), An act relating to pickerel.

To the Committee on Judiciary,

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority,

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds,

House Bill No. 418, An act relating to legal holidays,

House Bill No. 428, An act legalizing the proceeding of the town meeting held in the town of Middleton, March 9, 1937,

To the Committee on Revision of Laws,

House Bill No. 281, An act to create a State Board of Accountancy,

House Bill No. 401, An act establishing commissioner districts in the county of Coos,

To the Committee on Public Improvements,

House Bill No. 410, An act re-establishing a secondary highway system,

To the Committee on Finance,

House Joint Resolution No. 121, Joint Resolution relating to the New England Council Advertising fund.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 406, An act in relation to tax collectors, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 *Tax Collector.* Amend chapter 47 of the Public Laws by inserting after section 32 the following new section. 32-a. *Temporary Incapacity.* If a collector of taxes is temporarily incapacitated before completing the collection of the taxes committed to him or if any necessity may arise for such action the selectmen may appoint some suitable person as deputy collector to collect such taxes, during such in-

capacity or for such term as necessity may require, and issue a warrant to him for that purpose. Said deputy shall give bond, possess the powers, perform the duties and be paid as other collectors. The selectmen shall determine the term of office of said deputy and upon the expiration of said term, if the collection of the taxes has not been completed the selectmen shall issue to the collector a warrant for that purpose.

The report was accepted amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Burque for the Committee on Banks, to whom was referred Senate Bill No. 29, An act relating to building and loan associations, having considered the same, reported the same in new draft and recommend its passage.

The report was accepted and the bill laid upon the table to be printed.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILL

Senator Wilson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 78, An act in amendment of Chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board.

On motion of Senator Hamlin. the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

House Bill No. 406, An act in relation to tax collectors.

On motion of Senator Eames, the following resolution was adopted.

Resolved, that when the Senate adjourns this afternoon, it adjourn to meet tomorrow morning at 9:00 o'clock and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Wilson, the Senate adjourned.

FRIDAY, APRIL 2, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 2, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, APRIL 5, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 5, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, APRIL 6, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937.

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 9, An act establishing Commissioner districts in the county of Sullivan.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937.

To the Committee on Revision of Laws:

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

To the Committee on Claims:

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

To a Joint Committee on Finance and Claims:

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

COMMITTEE REPORTS

Senator Wilson, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Whereas, it appears that upon settlement of the estate of Mary E. Gardner, late of Newport, in the county of Sullivan and State of New Hampshire, deceased, a balance of $6,763.78 remained undistributed in the hands of John W. McCrillis, administrator, that the said Mary E. Gardner died June 26, 1930, that upon a petition alleging there were no known heirs of the said Mary E. Gardner said administrator was authorized by the probate court for said county on March 28, 1934, to pay said sum to the state treasurer, and did thereafter so pay the same, all by virtue of chapter 307, sections 7 and 8, of the Public Laws; and

Whereas, it now appears that there are heirs-at-law of the said Mary E. Gardner;

Resolved by the Senate and House of Representatives in General Court convened:

That the judge of probate for the county of Sullivan and state of New Hampshire is hereby authorized to conduct a hearing or hearings, at which hearing or hearings any person interested may appear and present proof that he is an heir-at-law of the said Mary E. Gardner; and if such claims, or any thereof, shall be established, the treasurer

of the state of New Hampshire shall be ordered by the judge of probate for the county of Sullivan aforesaid to pay said sum, together with the accumulations thereon, and additions thereto, if any, less five per cent of the total amount thereof, being the legacy and succession tax thereon, and also less five per cent of the appraised value of the real estate hereafter mentioned, being the legacy and succession taxes thereon, to such heirs in the several amounts to which the said judge of probate shall find them entitled. When and if it shall be determined by said judge of probate that the said Mary E. Gardner was survived by heirs-at-law all rights of the state in and to any real estate which the said Mary E. Gardner owned at the time of her death shall be deemed relinquished to such heirs-at-law, and it is hereby declared that if it shall be so found the state does not and will not claim such real estate.

The Secretary of State is hereby authorized to send a copy of this resolution to the judge of probate for the county of Sullivan aforesaid, who, upon receipt thereof, shall act upon the same forthwith.

The report was accepted, amendment adopted and the joint resolution was ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 75, An act prohibiting wiful and malicious interference with or harm to horses used for racing and prescribing penalties therefor, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred:

Senate Bill No. 59, An act relating to the practice of chiropractic,

Senate Bill No. 72, An act relative to membership of city and town planning boards,

House Bill No. 196, An act relating to the sale of meat, fish and fowl,

House Bill No. 286, An act defining house trailers,

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 219, An act relating to foreign insurance companies and their agents, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the following, "provided, however, the definition herein shall not apply to the sale of articles by the retailer from bulk and/or by him put up at the time of actual delivery to his customers," so that said section as amended shall read as follows:

1. *Package.* Amend chapter 161 of the Public Laws by adding after section 29 the following new section: 29-a. *Definition.* When used in laws relative to weights and measures the word "package" shall mean any commodity in a box, basket, barrel, bottle, bag, bale, crate, carton, case, can, cask, crock, drum, demijohn, firkin, hamper, hogshead,

half-barrel, jar, jug, keg, lug, phial, pail, sack, tube, tub, tank, vessel or any other receptacle or container of whatsoever material or nature which can be used for enclosing any commodity or in coverings or wrappings of any kind making one complete package of the commodity, provided, however, the definition herein shall not apply to the sale of articles by the retailer from bulk and/or by him put up at the time of actual delivery to his customers.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the words, Any such unpaid taxes shall be a preferred claim as against other creditors, so that said section as amended shall read as follows:

1. *Unpaid Taxes.* No common law assignment of personal property for the benefit of creditors made to an assignee, trustee or other fiduciary, whether recorded in accordance with the provisions of chapter 9 of the Laws of 1933 or not, shall be valid to transfer the title of the assignor therein as against any unpaid taxes assessed thereon to the assignee prior to the date of said assignment. Any such unpaid taxes shall be a preferred claim as against other creditors.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 403, An act relating

to deposits by State Treasurer, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 127, An act relating to permits for the registration of motor vehicles, having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *Municipal Permits.* Amend section 12 of chapter 100 of the Public Laws, as amended by chapter 5 of the Laws of 1929, by striking out all of said section and inserting in place thereof the following:

The report was accepted, amendment adopted, and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 243, An act relating to criminal appeals.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

House Bill No. 374, An act relating to transportation of high school pupils.

Senate Bill No. 9, An act establishing commissioner districts in the County of Sullivan.

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

House Bill No. 258, An act providing for serving of legal process on non-residents.

House Bill No. 335, An act regarding the compensation of county commissioners.

HAVEN DOE,
For the Committee.

MESSAGE FROM THE GOVERNOR

APRIL 6, 1937

The General Court of New Hampshire:

The appalling losses inflicted upon the country by floods in recent years have raised stream control to the rank of a major national problem. The destruction and the suffering which floods leave behind them are only too well-known in our own State of New Hampshire where, in the short space of ten years, the people have been visited by two disastrous periods of high water.

Those floods were the direct cause of losses amounting to nearly $15,000,000 or, if estimates of indirect losses be taken into account, a grand total exceeding $20,000,000. To continue to tolerate such losses would invite ultimate economic bankruptcy. The strict necessity for prompt and practical action relative to flood control has presented a challenge which permits of no evasion.

Two years ago, with the memory of the $6,000,000 flood of 1927 still fresh, the General Court took the first step toward the formulation of a state water policy by establishing the Water Resources Board which was intended to conserve water resources and take steps to lessen flood damages. The even greater floods of 1936, with direct and indirect damages in New Hampshire reaching nearly to a $15,000,000 total, and with losses for the nation aggregating a staggering sum, resulted in positive action on the part of the federal government.

By that time it had become clear that the individual states were not prepared, either legally or financially, to cope with

a problem of such magnitude and complexity. Since the great rivers of the country do not recognize state boundaries but flow wherever gravity takes them, it is obvious that their regulation must be a matter of interstate agreement.

Because they involve construction wholly at public expense, with federal and state governments participating financially in agreed proportions, and because the projects are primarily intended as devices for flood control rather than for conservation purposes, these undertakings are entirely different from those previously sponsored by the state through the medium of the Water Resources Board.

The first inter-state compact to be drafted in accordance with the provisions of the Federal Flood Control Act relates to the Connecticut River basin, extending into Vermont, New Hampshire, Massachusetts and Connecticut. It was prepared at Hartford, Connecticut, as a result of a conference attended by the Secretary of War Harry H. Woodring; Major General E. M. Markham, chief of engineers, U. S. Army; Governors Charles F. Hurley of Massachusetts; George D. Aiken of Vermont, Wilbur L. Cross of Connecticut and myself, together with technical and legal advisers from each state.

On March 8, 1937, while present at the Hartford conference, I designated three commissioners to represent the State of New Hampshire in the drafting of a proposed compact along general lines agreed upon by Secretary of War Woodring and the four governors. These New Hampshire representatives were John Jacobson, Jr., chairman of the Water Resources Board; Richard S. Holmgren, chief engineer of the Water Resources Board, and Robert W. Upton, Esq., legal counsel for the Water Resources Board, men well-qualified to act as agents of the state because of special knowledge of the subject under consideration.

In collaboration with similarly accredited representatives of Vermont, Massachusetts and Connecticut and of the War

Department, they have prepared the draft of a proposed compact to which all the negotiators gave their approval. That agreement which I am submitting to you herewith in the form of a photostatic copy identical with those submitted to the legislature of the other three states, will become effective when ratified by the legislature of Vermont, New Hampshire, Massachusetts and Connecticut and finally approved by the Congress of the United States. The compact has already been introduced into the Connecticut and Vermont legislatures and, I am informed, will be presented to the Massachusetts legislature within the next few days. It is my recommendation that it be ratified by New Hampshire.

In their report to me, the New Hampshire representatives have made a detailed analysis of the advantages and the obligations embodied in the compact and, for your information and assistance, I am transmitting a copy of it with this message.

Having in mind questions that may possibly be raised relative to the importance of ratifying the proposed compact and the strict necessity for embarking upon a program of flood control, I invite your attention to the fact that in the 1927 flood period direct damages amounting to approximately $1,767,000 were sustained in those New Hampshire towns situated within the watershed of the Connecticut River. Estimates for the 1936 floods place the direct damage figure at about $2,342,000.

In other words, in the course of one decade those districts of our state suffered total direct losses amounting to more than $4,100,000. If to that is added $2,000,000, a conservative estimate of indirect losses, the figures for total losses mount above the $6,000,000 mark.

In contrast to these severe damages sustained in the past, New Hampshire is asked to agree to contribute the sum of $135,000 over a period of two or three years toward the purchase of needed land, easements and rights of way and

to appropriate a sum approximately $4000 annually for maintenance and operation of reservoirs which the War Department estimates will average to save to the state, through reduced flood losses, from $75,000 to $100,000 annually.

In addition to these particular projects, for the early completion of which there is a pressing need, the compact also makes provision for the undertaking of other projects required to complete a long-range flood control program which has been planned for the Connecticut River basin. These supplementary projects, to be undertaken from time to time in the course of the next ten or twelve years, will possibly necessitate an additional expenditure of $393,750, as well as an increased appropriation for cost of maintenance and operation.

In the judgment of the Commissioners this plan, under which the federal government assumes by far the greater part of the costs, is the best possible approach at this time to flood control in the Connecticut River basin.

An important consideration is the undoubted fact that, in the face of widespread demands for assistance, federal funds allocated for flood control projects this year will prove inadequate. Because those groups of states which organize and apply promptly for federal aid will be entitled to priority in the distribution of funds, there is considerable merit in the suggestion of the commissioners that action on the compact be taken with the least practicable delay.

FRANCIS P. MURPHY,

Governor.

INTRODUCTION OF BILLS

Senator Allen, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to,

The Committee on Public Improvements,

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef Road.

On motion of the same Senator, the rules were further suspended, printing and reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Hamlin, under a suspension of the rules, sixteen Senators, having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

The President declared a recess.

(Recess)

The Senate re-assembled.

Senator Simpson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Senate Bill No. 81, An act relating to taking of deer in Carroll County.

On motion of Senator Mahoney, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled joint resolution and bills were read a third time and passed.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

Senate Bill No. 75, An act prohibiting wilful and mali-

cious interference with or harm to horses used for racing and prescribing penalties therefor.

Senate Bill No. 59, An act relating to the practice of chiropractice.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

House Bill No. 196, An act relating to the sale of meat, fish and fowl.

House Bill No. 286, An act defining house trailers.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, APRIL 7, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

Mr. President:

The House of Representatives has passed bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 225, An act relating to the length of motor vehicles.

House Bill No. 123, An act relating to licenses for bonded warehouses.

The message further stated that the House of Represen-

tatives had voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 57, An act relating to temporary sales and solicitation for religious and benevolent purposes.

Senate Joint Resolution No. 4, Joint resolution establishing a Commission for the study of occupational diseases in New Hampshire.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 406, An act in relation to tax collectors.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Transportation,

House Bill No. 225, An act relating to the length of motor vehicles.

To the Committee on Revision of Laws,

House Bill No. 123, An act relating to licenses for bonded warehouses.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom were referred Senate Bill No. 35, An act creating uniform Law Commission,

House Bill No. 99, An act creating a New Hampshire Laws Reports Committee,

Having considered the same, reported the same with the following resolution:

Resolved, that they are inexpedient to legislate.

The reports were accepted and recommendations of the Committee adopted.

Senator Calef for the Committee on Finance, to whom was referred,

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage, having considered the same, reported the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words and figures "five thousand dollars ($5,000)" in the first line, and substituting in place thereof the following: two thousand two hundred and eleven dollars and eighty-two cents ($2,211.82).

Further amend the joint resolution by adding at the end thereof the following: and relieves the town from any expense incurred for the repairs to this bridge.

So that said joint resolution as amended shall read as follows:

That the sum of two thousand two hundred and eleven dollars and eighty-two cents ($2,211.82) be and hereby is appropriated to reimburse the town of Lyme for monies paid out by said town in repairing the damage done to the bridge across the Connecticut river from said town to North Thetford, Vermont, by the floods of March, 1936. This appropriation shall be a charge on the flood funds established by chapter 1 of the Laws special session of 1936, and relieves the town from any expense incurred for the repairs to this bridge.

The report of the Committee was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Public Improvements to whom were referred,

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vermont,

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom were referred,

House Bill No. 76, An act to provide for the examination and for the use of voting machines at elections,

House Bill No. 180, An act relating to garage records and records of public parking places,

Having considered the same, reported the same with the following resolution:

Resolved, that they are inexpedient to legislate.

The reports were accepted and recommendations of the Committee adopted.

Senator Wilson for the Committee on the Judiciary, to whom was referred,

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the last sentence thereof and substituting therefor the following: Said serial notes or bonds shall be signed by the commissioners of the district, or a majority thereof, and countersigned by the treasurer; so that said section as amended shall read as follows:

1. *Authorization.* The Conway Village Fire District is hereby authorized to issue its serial notes or bonds to an amount not exceeding six thousand dollars ($6,000) for the purpose of refunding outstanding indebtedness. Said serial notes or bonds shall be signed by the commissioners of the district, or a majority thereof, and countersigned by the treasurer.

Amend section 2 of the bill by striking out the same and substituting therefor the following:

2. *Terms.* Said issue of serial notes or bonds shall be

due and payable at such times, not more than twenty years from their date of issue, in such amounts and in such manner, as the commissioners of said district may determine, and at a rate of interest to be fixed by said commissioners.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on the Judiciary, to whom was referred,

Senate Bill No. 55, An act authorizing towns and cities to adopt rural land use zoning ordinances, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by adding at the end of section 15 the following sentence: A building used or to be used by a public service corporation may be exempted from the operation of any regulation made under this act, if upon petition of the corporation the Public Service Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public; so that said section as amended shall read as follows:

15. *Non-Conforming Use.* The lawful use or occupation of any building, land or premises existing at the time of the adoption by the town or city legislative body of the zoning ordinance or regulation, although such use or occupation does not conform to the provisions thereof, may be continued; but if such non-conforming use or occupation is discontinued for a period of three years, any future use or occupation of such building, land, or premises shall be in conformity with the provisions of the established ordinances and regulations. If the town or city acquires title to any property by reason of tax delinquency and it is not redeemed as required by law, any future use of such property shall be in conformity with the provisions of the established ordinances and regulations. The town or city legis-

lative body may adopt such further regulations and amplifications, not contrary to law, as it may deem desirable or necessary to regulate and control non-conforming uses and occupations. A building used or to be used by a public service corporation may be exempted from the operation of any regulation made under this act, if upon petition of the corporation the Public Service Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Heald for the Committee on Agriculture, to whom was referred House Bill No. 392, An act accepting the provisions of the Act of Congress for the further development of co-operative agricultural extension work, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 82, An act relating to business corporations.

Senator Freeman, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 83, An act relating to deposits by State Treasurer.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed.

House Joint Resolution No. 58, Joint Resolution to reimburse the Town of Lyme for 1936 Flood Damage.

House Bill No. 113, An act relating to the bridge between Orford, N. H. and Fairlee, Vermont.

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts.

House Bill No. 392, An act accepting the provisions of the Act of Congress for the further development of cooperative agricultural extension work.

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds.

Senate bill No. 55, An act authorizing towns and cities to adopt rural land use zoning ordinances.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, APRIL 8, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Morris and Randall were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 429, An act legalizing the March meeting in the Town of Hebron.

House Joint Resolution No. 78, Joint resolution in favor of the Town of Holderness.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills and joint resolution:

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef Road.

READ AND REFERRED

The following entitled bill and joint resolution sent up

from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 429, An act legalizing the March meeting in the Town of Hebron.

To the Committee on Claims:

House Joint Resolution No. 78, Joint resolution in favor of the Town of Holderness.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom were referred:

House Bill No. 177, An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton March 9, 1937.

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hanson for the Committee on Public Improvements, to whom was referred House Bill No. 410, An act establishing a secondary highway system, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Moran for the Committee on Public Health, to whom was referred House Bill No. 320, An act relating to maternal and child health and to crippled children, having considered the same, report the same with the following

amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Board of Health.* Amend section 11 of chapter 128 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 11. *Maternal and Child-Health Services.* The board may administer a program of maternal and child-health services, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to provide, develop, extend, and improve state and local maternal and child-health services, including local maternal and child-health services administered by local units, to provide for co-operation with medical, nursing, and welfare groups and organizations, and to provide for the development of demonstration services in needy areas and among groups in special need. Nothing in this section, however, or in sections 12, 13 or 14 of this chapter, shall in any way affect the operation of the provisions of chapter 116 of the Public Laws, or of chapter 123 of the Public Laws, or of any other provision of the Public Laws providing maternal or child-health services.

2. *Services Authorized.* Amend said chapter 128 by inserting after section 11 as hereinbefore amended the following new sections: 12. *Crippled Children.* The state board of health may administer, and is hereby designated as the agency of the state to administer, a program of services for children who are crippled or who are suffering from conditions which lead to crippling, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to develop, extend, and improve services for locating such children, and for providing for medical, surgical, corrective, and other services and care,

and for facilities for diagnosis, hospitalization, and after care. 13. *Authorization.* The board is hereby authorized: I. To formulate and administer a detailed plan or plans for the purposes specified in sections 11 and 12, and to make such rules and regulations as may be necessary or desirable for the administration of such plans and provisions of this act; II. To receive and expend in accordance with such plans all funds made available to the board by the federal government, the state or its political subdivisions, or from other sources, for such purposes; III. To co-operate with the federal government through its appropriate agency or instrumentality, and with other state and local agencies and organizations, in developing, extending, and improving the services specified in sections 11 and 12, and in the administration of such plans. 14. *Limitation.* Nothing in this chapter shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing *in loco parentis* to such child, except pursuant to a proper court order. 15. *Penalty.* Any person violating the provisions of this chapter, or any rule, regulation or ordinance of said board made under the authority of this chapter, shall be guilty of a misdemeanor.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 39, An act limiting the taking of grayling in Long Pond in the Town of Benton to fly fishing only, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Mahoney for the Committee on Fisheries and Game, to whom were referred:

House Bill No. 23, An act relating to night fishing in Androscoggin River,

House Bill No. 69, An act relating to fur bearing animals,

Senate Bill No. 81, An act relating to taking of deer in Carroll County,

House Bill No. 233, An act relating to taking aureolus trout,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 209, An act closing certain waters to smelt fishing, having considered the same, report the same without amendment and recommend its passage.

On motion of Senator Stafford, the bill with the accompanying report was recommitted to the Committee on Fisheries and Game.

Senator Doe for the Committee on State Prison, to whom was referred Senate Bill No. 47, An act providing for an addition to the cell block of the state prison, having considered the same, report the same without amendment and recommend its passage.

The report was accepted, and the bill referred to the Committee on Finance under the rules.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef Road.

HAVEN DOE,
For the Committee.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, recommended that the Senate recede from its position of non-concurrence in the amendment adopted by the House, and that the House recede from its position in adopting said amendment, and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by changing the title thereof so that the same will read:

An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Motor Vehicle Registration.* Amend section 4, chapter 100 of the Public Laws by striking out said section and inserting in place thereof the following: 4. *Expiration.* The registration of every motor vehicle, trailer, semi-trailer or tractor shall expire at midnight upon March thirty-first next following the date of its issue, unless otherwise provided.

2. *Municipal Permits.* Amend section 18 of said chapter 100 by striking out the words "December thirty-first of the year when issued" and inserting in place thereof the words, March thirty-first next following the date of their issue, so that said section as amended shall read as follows: 18. *Expiration.* All permits for registration of motor vehicles provided for in this chapter shall expire at midnight upon March thirty-first next following the date of their issue.

3. *Amendment.* Amend section 12 of said chapter 100, as amended by chapter 5, Laws of 1929 by striking out said

section and inserting in place thereof the following: 12. *Transfer Credits.* Upon the transfer of ownership of a motor vehicle the permit shall expire; provided, that any owner who has paid a permit fee for a motor vehicle the ownership of which is transferred, or which is subsequently totally lost by fire, theft or accident, during the same fiscal year ending March thirty-first shall be entitled to a credit to the amount of any such permit fee or fees towards other permit fees which may be required of him in the same fiscal year. No portion of any permit fee once paid shall be repaid to any person and from December first to March thirty-first such credit shall not exceed one-third of the amount of the original fee.

4. *Amendment.* Amend section 15 of said chapter 100 by striking out the word "September" in the second line and inserting in place thereof the word December, and by striking out the word "December" in the third line and inserting in place thereof the word March, so that said section as amended shall read as follows: 15. *Reduced Fee.* For permits issued under the provisions of this chapter during the period beginning with December first and ending March thirty-first the fees shall be one-third of the sum named in section 14.

5. *Operator's License.* Amend section 8 of chapter 101 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Expiration.* All licenses to operate motor vehicles, except special non-resident certificates, shall expire on March thirty-first next following the date of their issue.

6. *Number Plates.* Amend section 2 of chapter 103 of of the Public Laws, as amended by chapter 76 of the Laws of 1927, by striking out said section and inserting in place thereof the following: 2. *Use of.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as

provided for non-residents, shall be displayed on any motor vehicle, trailer, semi-trailer or tractor so operated, but during the period from March twenty-ninth to March thirty-first, inclusive, the owner of a vehicle which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the succeeding fiscal year, may display in the manner provided herein in place of the number plates then in use the number plates for the succeeding fiscal year.

7. *Fiscal Year.* All sections of the motor vehicle laws referring to the calendar year are hereby amended in so far that such sections shall now apply to the fiscal year ending on March thirty-first.

8. *Temporary Provisions for Registration.* For the period from January first to March thirty-first, inclusive, 1938, the owner of a motor vehicle, trailer, semi-trailer or tractor which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the year 1937, shall display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said 1937 number plates and such motor vehicles, trailers, semi-trailer or tractor displaying such number plates shall be deemed to be properly registered for the period ending March thirty-first. The registration of every motor vehicle, trailer, semi-trailer or tractor registered for the period from January first, 1938, to March thirty-first, 1938, shall expire at midnight on March thirty-first, 1938. For such registrations the commissioner may issue 1937 plates and such motor vehicles, trailers, semi-trailers or tractors displaying such 1937 number plates shall be deemed to be properly registered. For the registration of motor vehicles during the period from January first, 1938, to March thirty-first, 1938, no permit for registration as provided for in section 10, chapter 100, Public Laws shall be required.

9. *Temporary Provisions for Operators Licenses.* For

the period from January first to March thirty-first, inclusive, 1938, a person who has been properly licensed to operate a motor vehicle in accordance with the provisions of chapter 101 of the Public Laws may use such license in the manner provided by law, and shall be deemed to be properly licensed to operate a motor vehicle, for such period. All licenses to operate motor vehicles issued during the period from January first to March thirty-first, inclusive, 1938, for said period shall expire at midnight on March thirty-first, 1938. For such licenses the commissioner may issue 1937 licenses and a person who has been properly licensed for said period may use such licenses in the manner provided by law and shall be deemed to be properly licensed to operate motor vehicles for such period. No fee shall be charged for licenses issued for such period.

10. *Takes Effect.* This act shall take effect at midnight December thirty-first, 1937.

WILLIAM M. COLE,
ALLAN M. WILSON.
Conferees for the Senate,

WALTER A. PILLSBURY,
DONALD W. SALTMARSH,
JAMES W. PRIDHAM.
Conferees for the House,

The report was accepted.

On a *viva voce* vote the Senate voted to accept the amendments offered by the Committee on Conference.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILLS

Senator Blood under a supension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Senator Wilson under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 85, An act requiring operators of certain boats to be licensed.

Senator Allen under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 86, An act relating to daylight saving time.

On motion of Senator Hamlin the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 23, An act relating to night fishing in Androscoggin River.

House Bill No. 69, An act relating to fur bearing animals.

House Bill No. 177, An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

House Bill No. 233, An act relating to taking aureolus trout.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

House Bill No. 410, An act establishing a secondary highway system.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton March 9, 1937.

Senate Bill No. 81, An act relating to taking of deer in Carroll County.

On motion of Senator Heald, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, APRIL 9, 1837.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 9, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, APRIL 12, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 12, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, APRIL 13, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 430, An act relating to institutions under the supervision of the bank commission.

House Bill No. 424, An act relating to primary and election laws.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

House Joint Resolution No. 130, Joint resolution in favor of Alice Spear Small.

House Joint Resolution No. 131, Joint resolution in favor of Mrs. Wallace S. Thompson.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 58, An act to amend the charter of Clark School foundation.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure of interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills and joint resolution:

House Bill No. 417, An act authorizing the Conway Village Fire Precinct to issue refunding notes or bonds.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendments, in the passage

of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 62, An act relating to the protection of the public health.

Amend section 1 by striking out in lines 10 to 14 inclusive the words "In case of a public water supply lying in part in two or more cities or towns, the health officer and plumbing inspector of the city or town providing the supply shall have the power to make plumbing inspections in any premises connected to that supply" and substituting therefor the words, In the case of a public water system lying in two or more cities or towns, the health officer or plumbing inspector of the city or town operating the said system, or in which its management is located, shall have the power to make plumbing inspections and to enforce the said regulations as to any premises connected to that system and located in such other cities or towns, so that said section as amended shall read as follows:

1. *Amendment.* Amend chapter 153 of the Public Laws by adding after section 6 the following: 6a. *Public Health.* The State Board of Health may make, may from time to time revise, and may enforce, such plumbing rules and regulations as it may deem necessary for protection of the public health. Said rules and regulations shall be in effect in every city, village and area having a public water supply, and in all premises connected to a public water supply, and every city and town in which there is a public water supply shall provide for enforcement of them. They shall be construed as minimum and not as preventing local authorities from fixing more stringent ones. In case of a public water system lying in two or more cities or towns, the health officer or plumbing inspector of the city or town operating the said system, or in which its management is located, shall have the power to make plumbing inspections and to enforce the said regulations as to any premises connected to that system and located in such other

cities or towns. 6b. *Definitions.* "Plumbing" as used in this chapter, shall mean the art of installing in buildings the pipes, fixtures, and other apparatus for bringing in the water supply and removing liquid and water-carried wastes. "Public water supply" means any water system supplying water for ten or more consumers, each family, tenement, store or other establishment being considered a single consumer. 6c. *Water Department Employees.* The licensing provisions of this chapter shall not apply to employees of public water supply departments and companies or public sewerage departments, when working in the discharge of duty.

On motion of Senator Blood, the Senate voted to concur in the amendment sent up by the House of Representatives.

READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Revision of Laws,

House Bill No. 131, An act relative to brakes on trailers.

To the Committee on Elections,

House Bill No. 424, An act relating to primary and election laws.

To the Committee on Banks,

House Bill No. 430, An act relating to institutions under the supervision of the bank commission.

To the Committee on Judiciary,

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

To a Joint Committee on Claims and Finance,

House Joint Resolution No. 130, Joint resolution in favor of Alice Spear Small.

On motion of Senator Wilson, the rules were suspended, reference to Committee dispensed with and the foregoing joint resolution was read a third time and passed.

To a Joint Committee on Claims and Finance,

House Joint Resolution No. 131, Joint resolution in favor of Mrs. Wallace S. Thompson.

On motion of Senator Blood, the rules were suspended, printing and reference to Committee dispensed with and the foregoing joint resolution was read a third time and passed.

Senator Wilson for the Committee on Judiciary, to whom were referred House Bill No. 416, An act in relation to public baths and swimming pools,

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the Town of Pittsfield on March 9, 1937,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred,

Senate Bill No. 76, An act relating to the powers of towns to make by-laws,

House Bill No. 401, An act establishing commissioner districts in the county of Coos,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 281, An act to create a State Board of Accountancy, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Heald for the Committee on Agriculture, to whom was referred House Bill No. 305, An act relating to suppression of insect pests and plant diseases, having considered the same, report the same with the following

amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out all of said section and inserting in place thereof the following:

1. *Suppression of Insect Pests and Plant Diseases.* Amend chapter 190 of the Public Laws as amended by chapter 52 of the Laws of 1931 by striking out said chapter and inserting in place there the following:

SUPPRESSION OF INSECT PESTS AND PLANT DISEASES

1. *Deputy Commissioner.* The commissioner of agriculture shall appoint a deputy commissioner who shall be fully qualified by scientific training and experience and who, under the direction of the commissioner, shall be in charge of the suppression of pests as provided for in this act. The salary of said deputy commissioner shall not exceed sixteen hundred dollars a year and said deputy shall be allowed his actual expenses when on official duties elsewhere than in the office of the department. Said deputy, with the approval of the commissioner, may appoint such agents or assistants as he may find necessary for the purposes of this act.

2. *Suppression of Pests.* The commissioner and the deputy commissioner may undertake the suppression or control of any insect pest or plant disease which, in their judgment, seriously threatens the state or any part thereof and for that purpose may establish rules and regulations and may employ such measures as, in their judgment, may be reasonable and proper. For the purposes of this act it shall be lawful for the commissioner, the deputy commissioner or any agent or assistant, appointed, under the provisions hereof, to enter upon any lands in this state.

3. *Penalty.* Any person who resists or obstructs any agent of the state while lawfully engaged in the execution of this act, or who violates any rule or regulation made by the commissioner and deputy commissioner under the pro-

visions hereof, or who wilfully brings into the state, disseminates, or propagates any destructive insect pest or plant disease, shall be fined not more than one hundred dollars.

4. *Suppression by Cities or Towns.* For the purposes of this act the commissioner and the deputy commissioner may require any city or town to take such measures as, in their judgment, are reasonable and proper, up to a cost not exceeding, in any one year, one-tenth of one per cent of the tax valuation of said city or town for the preceding year. If a city or town shall fail to execute the prescribed measures the commissioner and deputy commissioner may cause the work to be done and the expense thereof, not exceeding said one-tenth of one per cent of the tax valuation aforesaid, may be recovered of said city or town in an action by the state.

5. *Forfeiture.* In addition thereto, any city or town failing to take such measures as the commissioner and the deputy commissioner may require, as hereinbefore provided, shall forfeit the sum of one hundred dollars, to be collected by an information brought by the attorney-general in the county in which said city or town is located.

6. *Suppression by Property Owners.* For the purposes of this act the commissioner and the deputy commissioner may require the owner of any parcel of land which is infested with any destructive insect pest or plant disease to take such measures as, in their judgment, are reasonable and proper, up to a cost not exceeding, in any one year, one-half of one per cent of the assessed valuation of said land, including buildings and improvements thereon, as fixed by the last preceding tax appraisal. If the owner of such lands shall fail to execute the prescribed measures the commissioner and the deputy commissioner may cause the work to be done, either directly or through the city or town in which the land is situated, and the expense thereof, not exceeding one-half of one per cent of the assessed valuation of said

land as hereinbefore specified, shall be assessed upon said lands and improvements.

7. *Assessments.* The amounts to be assessed upon private property as hereinbefore provided shall be assessed and collected like ordinary taxes at the next general tax assessment following their expenditures, and shall be a lien on said land, including buildings and improvements thereon in the same manner and with the same effect as is provided in the case of other taxes, and shall be subject to the provisions relative to abatement and appeal.

The report was accepted, amendments adopted and the bill as amended referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt., having considered the same report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following.

1. *Morey Memorial Bridge.* The bridge across the Connecticut River between Orford, New Hampshire and Fairlee, Vermont, now being constructed by the state of New Hampshire and the state of Vermont shall hereafter be designated as the Samuel Morey Memorial Bridge.

The report was accepted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 60, An act to amend the charter of the

trustees of the Protestant Episcopal Church in New Hampshire.

House Bill No. 23, An act relating to night fishing in the Androscoggin river.

House Bill No. 69, An act relating to fur-bearing animals.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment.

House Bill No. 177, An act to make uniform the law on fresh pursuit and authorizing this state to co-operate with other states therein.

House Bill No. 196, An act relating to the sale of meat, fish, and fowl.

House Bill No. 233, An act relating to taking aureolus trout.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

House Bill No. 392, An act accepting the provisions of the act of Congress relative to the further development of co-operative agricultural extension work.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

House Bill No. 399, An act relative to acceptance of certain federal aid road acts.

House Bill No. 406, An act in relation to tax collectors.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton, March 9, 1937.

Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILL AND JOINT RESOLUTION

Senator Hanson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws,

Senate Bill No. 87, An act prohibiting the conspiring of three or more persons unlawfully to occupy, hold and possess certain buildings against the will and without the consent of the owner or lessee thereof.

Senator Moran under a suspension of the rules, sixteen Senators having actually voted in favor theroef, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to a Joint Committee on Claims and Finance.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Blood, the following resolution was adopted.

Resolved, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 410, An act establishing a secondary highway system.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned House Bill No. 410, An act establishing a secondary highway system.

On motion of Senator Blood, the rules were so far sus-

pended as to allow a reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the Senate voted to recommit the Bill to the Committee on Finance.

COMMITTEE REPORT

On motion of Senator Blood, the rules were suspended to introduce a Committee report not previously advertised in the Journal.

Senator Calef, for the Committee on Finance, to whom was referred House Bill No. 410, An act establishing a secondary highway system, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third rading this afternoon at two o'clock.

ORDER VACATED

On motion of Senator Kelly, the order whereby

House Joint Resolution No. 31, Joint resolution in favor of James M. Lawrence of Claremont.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

Were referred to the Committee on Claims were vacated and the several joint resolutions were referred to a Joint Committee on Claims and Finance.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Wilson, the rules were suspended to introduce a committee report not previously advertised in the journal.

Senator Wilson for the Committee on Judiciary, to whom was referred,

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by adding a new section to be known as section 3 and to read as follows:

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Colebrook on March 9, 1937, so far as they relate to the appropriations for the purposes set forth in section 1, and the issuance of notes and bonds in pursuance thereof, are hereby legalized, ratified, and confirmed, and made as effective as if such proceedings were taken after the passage of this act.

Further amend said bill by renumbering sections 3 and 4 to be 4 and 5 respectively.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

On motion of Senator Burque, the following resolution was adopted.

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 401, An act establishing commissioner districts in the county of Coos.

On motion of Senator Kelly, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Revision of Laws.

House Bill No. 410, An act establishing a secondary highway system.

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

House Bill No. 443, An act legalizing the proceedings of the annual Town Meeting held in the town of Pittsfield on March 9, 1937.

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

On motion of Senator Wilson, the Senate adjourned.

WEDNESDAY, APRIL 14, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr President:

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

House Bill No. 277 (in new draft), An act relating to marriage.

House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the office of the State Treasurer.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following entitled Senate Bill, in the adoption of which amendment, the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicle Operation Without a License Prima Facie Evidence of Unfitness.* Amend section 9 of chapter 101 of the Public Laws by adding at the end thereof the following: and if any person shall operate a motor vehicle in violation of this section such violation in any civil action shall be *prima facie* evidence of his unfitness to operate a motor vehicle, so that said section as amended shall read as follows: 9. *License Necessary.* No person shall operate a motor vehicle upon any way in this state unless licensed under the provisions of this title, or permit such a vehicle owned or controlled by him to be so operated by a person not so licensed, except as otherwise herein provided, and if any person shall operate a motor vehicle in violation of this section such violation in any civil action shall be *prima facie* evidence of his unfitness to operate a motor vehicle.

On motion of Senator Doe, the Senate voted to concur in the amendment sent up from the House of Representatives.

READ AND REFERRED

The following entitled bills and joint resolution sent up from the House of Representatives were read a first and second time and referred.

To the Committee on Judiciary,

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

To the Committee on Finance,

House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the office of the State Treasurer.

The following entitled bill was read a first time for information.

House Bill No. 277, (in new draft) An act relating to marriage.

The question being stated,

Shall the bill be read a second time?

On a *viva voce* vote the negative prevailed.

Senator Blood demanded a roll call.

The question being stated,

Shall the bill be read a second time?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Stafford, Heald, Blood, Wilson, Doe, Calef, Conner.

The following named Senators voted in the negative: Senators Kelley, Eames, Hamlin, Freeman, Hanson, Randall, Burque, Eastman, Mahoney, Moran, Daniel, Cole and Allen.

Ten Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed and the motion was lost.

Senator Cole moved that the Senate reconsider their vote on the foregoing entitled bill.

Senator Blood demanded a roll call.

The question being stated,

Shall the Senate reconsider the vote?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Stafford, Hanson, Randall, Heald, Burque, Blood, Wilson, Moran, Doe, Calef, Cole, Conner and Allen.

The following named Senators voted in the negative: Senators Kelley, Eames, Hamlin, Freeman, Eastman, Mahoney and Daniel.

Sixteen Senators having voted in the affirmative and seven Senators having voted in the negative, the affirmative prevailed, and the bill was ordered to a second reading.

Senator Hamlin moved that the bill be indefinitely postponed.

(Discussion ensued)

On a *viva voce* vote, the negative prevailed.

Senator Hamlin demanded a roll call.

The question being stated shall the bill be definitely postponed?

The Clerk proceeded to call the roll.

The following Senators voted in the affirmative: Senators Kelley, Eames, Hamlin, Freeman, Eastman, Mahoney and Daniel.

The following Senators voted in the negative: Senators Morris, Simpson, Guyer, Stafford, Hanson, Randall, Heald, Buque, Blood, Wilson, Moran, Doe, Calef, Cole, Connor and Allen.

Seven Senators having voted in the affirmative and sixteen Senators having voted in the negative, the negative prevailed and the motion to indefinitely postpone was lost.

The bill was then read a second time and referred to a Joint Committee on the Public Health, Judiciary and Finance.

COMMITTEE REPORTS

Senator Morris for the Committee on the Judiciary, to whom were referred.

House Bill No. 429, An act legalizing the March meeting in the Town of Hebron.

Senate Bill No. 82, An act relating to business corporations.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Moran for the Committee on Claims, to whom was referred House Joint Resolution No. 105, Joint Resolution in favor of Peter Lajoie, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 72, An act relating to fire escapes.

Having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Fire Escapes.* Amend section 9 of chapter 147 of the Public Laws by striking out the same and inserting in place thereof the following: 9. *Where Required and Kind to be Provided.* No hotel, inn, lodging or boarding house for institution, in which rooms above the second story are occupied for sleeping purposes, and no building more than two stories in height used or occupied above the second story as a school, theatre, hall for public assembly, factory, mill, shop, apartment or tenement house, shall be let, leased or occupied for such purposes unless provided with safe and

adequate fire escapes consisting of metal stairways, with metal balconies, attached to the outer wall in such manner and place as to render egress from such building easy and safe. All windows opening upon such fire escapes shall be of wired glass.

2. *Application of Act.* Further amend said chapter 147 by adding after section 9, as hereinbefore amended, the following new sections: 9-a. *Exceptions.* The provisions of section 9 shall not apply to the following buildings:

I. Buildings which are approved by the fire underwriters as being of fire-proof construction.

II. Buildings which are completely equipped with an approved sprinkler system.

III. Buildings, except factories containing materials readily combustible or products made from such materials, provided with interior fire escapes of fire proof construction enclosed in fire-proof walls and with exits as provided in section 12.

IV. Buildings which are approved by the state board of health or the commissioner of labor as provided in section 9-b.

9-b. *Standards Set Up.* The commissioner of labor is hereby authorized to set standards defining requirements to insure ready and safe egress in the event of fire, for factories and workshops, more than two stories in height, and to approve buildings which conform to such standards. The state board of health is hereby authorized to set such standards for other buildings as defined in section 9 and to approve buldings which conform thereto.

3. *Repeal.* Section 14 of said chapter 147, relative to sprinkler systems, is hereby repealed.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF BILLS

Senator Hamlin, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages.

Senator Heald, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Senate Bill No. 89, An act relating to poultry and domestic animals.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

Senate Bill No. 82, An act relating to business corporations.

House Bill No. 429, An act legalizing the March meeting in the town of Hebron.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, APRIL 15, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 191, An act relating to the weights of motor vehicles.

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation.

House Bill No. 441, An act relating to the powers of Rye Beach precinct district in the town of Rye.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes and bonds.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle.

The message further stated that the House of Represen-

tatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 64, An act to make uniform the procedure on interstate extradition.

Amend said bill by inserting before the first section the following:

1. *Interstate Extradition.* Amend chapter 377 of the Public Laws by striking out the entire chapter and inserting in place thereof the following:

Amend section 24 of said bill by striking out the same and inserting in place thereof the following: 24. *Expenses.* All expenses of officers of this state in connection with extradition proceedings under the provision of this act shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed except as provided in the case of recommitment of certain paroled convicts as provided by section 38, chapter 369, of the Public Laws, as amended by chapter 66, of the Laws of 1935.

Amend said bill by renumbering sections 25-a and 25-b to read 26 and 27 respectively and renumbering sections 26, 27, 28 to read 28, 29. 30.

Further amend said bill by striking out section 29.

Amend section 30 of said bill by renumbering it 31.

Amend section 31 of said bill by renumbering it section 32.

On motion of Senator Wilson, the Senate voted to concur in the amendment sent up by the House of Representatives.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Transportation,

House Bill No. 191, An act relating to the weights of motor vehicles.

To the Committee on the Judiciary,

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation,

House Bill No. 441, An act relating to the powers of Rye Beach precinct district in the town of Rye.

COMMITTEE REPORTS

Senator Hanson for the Committee on Revision of Laws, to whom was referred,

Senate Bill No. 80, An act relative to examinations for the practice of embalming,

Having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hanson for the Committee on Revision of Laws, to whom was referred,

Senate Bill No. 83, An act relating to deposits by State Treasurer,

Having considered the same, reported the same without amendment and recommend its passage.

The report was accepted.

On motion of Senator Hamlin, the bill with the accompanying report was recommitted to the Committee on Revision of Laws.

Senator Hanson for the Committee on Revision of Laws, to whom was referred,

House Bill So. 123, An act relating to licenses for bonded warehouses,

Having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the whole thereof and substituting therefor the following:

2. *Penalty.* Amend chapter 169 of the Public Laws by inserting a new section 1, to be known as section 1-a. Whoever violates any provision of section 1 of this chapter shall be fined not more than two hundred dollars ($200) and imprisoned not more than six months, or both.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hanson for the Committee on Transportation, to whom was referred,

Senate Bill No. 26, An act relating to carriers of property for hire on the public highways.

Having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Hanson for the Committee on Transportation, to whom was referred,

House Bill No. 225, An act relating to the length of motor vehicles,

Having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Moran for the Committee on Claims, to whom were referred,

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol,

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont,

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin,

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen,

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions were referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred,

House Bill No. 410, An act establishing a secondary highway system,

Having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "bill" in the third line and inserting in place thereof the word, act.

Amend section 3 of said bill by inserting before the word "the" in the fourth line the words, upon his recommendation; further amend said section 3 by striking out the words and figures "and 84" in the sixth line and by adding at the end of said section the words and figures, by chapter 139, Laws of 1931.

Amend section 4 of said bill by adding after the word "amended" in the sixth line the words and figures, by section 7, chapter 17, Laws of 1935.

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in the Senate amendments.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Cole, the rules were suspended to introduce a Committee report not previously advertised in the journal.

Senator Cole, for the Committee on Fisheries and Game, to whom was referred House Bill No. 118, (In New Draft), An act relating to pickerel.

Having considered the same, report the same with the

following amendments, and recommend that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relating to the open and closed season for taking fish in certain waters.

Amend paragraph I of section 3 by inserting after the word "Tuftonboro" in the second line the words, Corbetts pond in Windham, so that said paragraph as amended shall read as follows: I. Arlington Mills Reservoir, Big Dan Hole pond in Ossipee and Tuftonboro, Corbetts pond in Windham, Ferrin pond in Weare, Gorham pond in Dunbarton.

Amend paragraph I of section 4 of said bill by striking out said paragraph and inserting in place thereof the following: I. Alder Brook, a tributary of Stearns brook, in Milan and Success, Amos Pike or Starch Factory brook, from its source to the highway leading from the state road to the French pond road and all tributaries of Long Pond in Benton and the area of said Long Pond one hundred feet from the inlet out into the pond and fifty feet on each side of said inlet.

Amend paragraph VII of section 4 of said bill by adding after the word "therein" in the first line the words, all tributaries of, and by striking out after the words "New London" the words, and its tributaries, so that said paragraph as amended shall read as follows: VII. Pillsbury Reservation, in Washington and all brooks therein, all tributaries of Pleasant lake in New London and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards north from Chandler brook.

Further amend said bill by adding after section 4 the following new section: 5. *Brook Trout.* Amend chapter 201 of the Public Laws as amended by section 5 of chapter 124 of the Laws of 1935, by inserting after section 1 the following new section: 1-a. *Opening Season in Certain*

Ponds. In Big Dan Hole pond in Ossipee and Tuftonboro, Pleasant lake in New London, Tewksbury pond in Grafton, and in Sunapee Lake brook trout ten inches and over may be taken from April fifteen to September first and during the month of September by the use of artificial flies only.

Further amend said bill by re-numbering section 5 to read section 6.

The report was accepted, amendments adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hamlin, the rules were suspended to introduce a Committee report not previously advertised in the journal.

Senator Hanson for the Committee on Revision of Laws, to whom was referred House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILL

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Labor.

Senate Bill No. 90, An act providing for one day rest in seven.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Cole, the rules were suspended

to introduce a Committee report not previously advertised in the journal.

Senator Cole for the Committee on Fisheries and Game, to whom was referred House Bill No. 209, An act closing certain waters to smelt fishing.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills and joint resolution:

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

Senate Bill No. 65, An act providing that the state of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

LULA J. A. MORRIS,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in

order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

House Bill No. 123, An act relating to licenses for bonded warehouses.

House Bill No. 225, An act relating to the length of motor vehicles.

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 118 (New Title), An act relating to the open and closed season for taking fish in certain waters.

On motion of Senator Heald, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, APRIL 16, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 16, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, APRIL 19, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 19, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, APRIL 20, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Cole and Eames were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following

entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opechee, and Winnisquam and the Winnipesaukee River.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

House Bill No. 436, An act providing for a special fund for improvement and maintenance of public waters.

House Bill No. 442, An act granting planning and zoning powers to the Hampton Beach Village District in the town of Hampton.

House Bill No. 449, An act relating to the compensation of the County Treasurer.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 59, An act relating to the practice of chiropractic.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 72, An act relating to fire escapes.

House Bill No. 410, An act establishing a secondary highway system.

The message further stated that the House of Representatives has refused to adopt the report of the Committee of Conference on Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, and asks that the bill be recommitted to the Committee of Conference.

On motion of Senator Doe, the Senate voted to grant the request of the House of Representatives for a recommitment of the bill to the Committee of Conference.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Judiciary:

House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opechee and Winnisquam and the Winnipesaukee River.

House Bill No. 442, An act granting planning and zoning powers to the Hampton Beach Village district in the town of Hampton.

House Bill No. 449, An act relating to the compensation of the County Treasurer.

To the Committee on Revision of Laws:

House Bill No. 436, An act providing for a special fund for improvement and maintenance of public waters.

To the Committee on Fisheries and Game:

House Bill No. 237, An act relating to damage to fruit trees by protected game.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred:

House Joint Resolution No. 5, Joint resolution in favor of the Town of Errol,

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin,

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

House Joint Resolution No. 121, Joint resolution relating to the New England Council Advertising Fund,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions were orderd to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred:

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence, of Claremont,

Having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the words, and it shall be in full settlement of claim; so that said joint resolution as amended shall read:

That the sum of fifty dollars ($50) be and the same is hereby allowed James N. Lawrence of Claremont to reimburse him for money expended by him in the repairs made to his automobile which was damaged by a truck employed by the state highway department on November 16, 1935 at Newbury; and said sum appropriated by the state shall be a charge upon the highway funds, and it shall be in full settlement of claim.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 66, Joint Resolution in favor of Lucien Worthen, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the words, and it shall be in full settlement of claim; so that said joint resolution as amended shall read:

That the sum of six hundred seventy-eight dollars and fifty cents ($678.50) be and hereby is allowed and paid to Lucien Worthen of New London, in the County of Merrimack in said state, for compensation, arising from injuries sustained by him while working on a snow plow for the highway department December 28, 1934 and the sum of ten dollars ($10) be allowed and paid to James B. Worthen, the sum of one hundred seventy-four dollars and fifty cents ($174.50) be allowed and paid to Dr. William Clough,

and the sum of one hundred thirty-seven dollars ($137.00) be allowed and paid to the New London Hospital, for medical and hospital services in connection with said injuries. The sums appropriated by the state shall be a charge upon the highway funds, and it shall be in full settlement of claim.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 410, An act establishing a secondary highway system.

Senate Bill No. 59, An act relating to the practice of chiropractic.

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 64, An act to make uniform the procedure on interstate extradition.

House Bill No. 72, An act relating to fire escapes.

House Bill No. 113, An act relating to the bridge between Orford, N. H. and Fairlee, Vt.

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 225, An act relating to the length of motor vehicles.

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 429, An act legalizing the March meeting in the town of Hebron.

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937.

House Joint Resolution No. 130, Joint Resolution in favor of Alice Spear Small.

House Joint Resolution No. 131, Joint Resolution in favor of Mrs. Wallace S. Thompson.

HAVEN DOE,
For the Committee.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILLS

Senator Guyer under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 91, An act changing the name of Pemigewasset Pond to Pemigewasset Lake.

Senator Blood under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 92, An act relating to games of skill.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled joint resolutions were read a third time and passed.

House Joint Resolution No. 5, Joint resolution in favor of the Town of Errol.

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

House Joint Resolution No. 121, Joint resolution relating to the New England Council Advertising Fund.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, APRIL 21, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Eames, Heald and Mahoney were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 327, An act to regulate industrial homework.

The message further stated that the House of Represen-

tatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 72, An act relative to membership of city and town planning boards.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

To the Committee on Judiciary:

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 327, An act to regulate industrial homework.

COMMITTEE REPORTS

Senator Hanson under a suspension of the rules introduced the following Committee report not previously advertised in the journal.

Senator Hanson for the Committee on Public Improvements to whom was referred House Bill No. 382, An act relative to laying out of highways, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Stafford under a suspension of the rules introduced the following Committee report not previously advertised in the journal.

Senator Stafford for the Committee on Transportation to whom was referred House Bill No. 191 (in second new draft), An act relating to the weights of motor vehicles, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef under a suspension of the rules introduced the following Committee report not previously advertised in the journal.

Senator Calef for the Committee on Finance to whom was referred House Bill No. 382, An act relative to laying out of highways, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Wilson under a suspension of the rules introduced the following Committee report not previously advertised in the journal.

Senator Wilson for the Committee on Judiciary to whom was referred Senate Bill No. 78, An act in amendment of Chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by striking out the whole of section 2 and substituting therefor the following:

2. *Projects Defined.* Amend paragraph III of section 2 of said chapter 121 by striking out the whole of said paragraph and substituting therefor the following:

III. The word "project" shall be deemed to include all property, rights, easements and franchises relating thereto and deemed necessary or convenient for its operation, and shall embrace all means of conserving and distributing water and for regulating the flow of rivers and streams, including without limiting the generality of the foregoing, reservoirs, dams, diversion and distributing canals, lateral ditches, pumping units, mains, pipe lines, water-works systems, and particularly dams and reservoirs for regulating the flow of rivers and streams to promote the public welfare including public safety and health.

Further amend said bill by re-numbering section 8 as section 10.

Further amend said bill by inserting two new sections to be numbered section 8 and section 9 as follows:

8. *Removal.* Amend said chapter 121 of the Laws of 1935 by inserting after section 4 the following new section:

4-a. *Removal.* The Governor and Council may at any time remove any Director for inefficiency, neglect of duty or malfeasance in office; but no Director shall be removed without a hearing, after notice in writing of the charges against him.

9. *Governor and Council, Approval of Contracts.* Amend said chapter 121 of the Laws of 1935 by inserting after section 6 the following new section:

6-a. *Governor and Council, Approval of Contracts.* All contracts entered into by the board for the construction of a project or for the use of stored water shall be subject to the approval of the Governor and Council.

The report was accepted, amendments adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILL AND JOINT RESOLUTION

Senator Cole under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Military Affairs.

Senate Joint Resolution No. 7, Joint resolution in favor of the Veterans of Foreign Wars.

Senator Simpson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

On motion of Senator Doe, the following resolution was adopted.

Whereas, all passenger trains of the Boston and Maine Railroad will run on a schedule advanced one hour, effective on and after April 25, be it hereby

Resolved, That the Senate meet on working days at ten o'clock for the morning session and one o'clock for the afternoon session, for the remainder of the session.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 191 (in second new draft), An act relating to the weights of motor vehicles.

House Bill No. 382, An act relative to laying out of highways.

Senate Bill No. 78, An act in amendment of Chapter 121, Laws of 1935, establishing the New Hampshire Resources Board.

On motion of Senator Burque, the following resolution was adopted.

Resolved, That when the Senate adjourns this morning, it adjourn to meet Friday morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, APRIL 23, 1937.

The Senate met according to adjournment.

Senator Guyer having assumed the Chair, read the following communication:

Concord, N. H., April 23, 1937.

SENATOR GUYER:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Guyer declared the Senate adjourned.

MONDAY, APRIL 26, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., April 26, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, APRIL 27, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 75, An act prohibiting wilful interference with or harm to horses used for racing and prescribing penalties therefor.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolutions:

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following Senate bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

Amend section 2 of said bill by inserting after the word "authority" in the fourth line the words and figures, under section 70, chapter 42, Public Laws.

On motion of Senator Wilson, the Senate voted to concur in the amendment sent up by the House of Representatives.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following entitled bill and asks for a Committee of Conference. The Speaker has appointed

as members of the committee on the part of the House, Messrs. Adams of Seabrook, Ramsey of Colebrook and St. Francis of Nashua.

House Bill No. 118, An act relating to open and closed season for taking fish in certain waters.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on the foregoing bill, and the President appointed as members on the part of the Senate Senators Cole and Mahoney.

COMMITTEE REPORTS

Senator Heald for the Committee on Banks, to whom was referred Senate Bill No. 29 (In new draft), An act relating to building and loan associations, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Randall for the Committee on Elections, to whom was referred House Bill No. 424, An act relating to primary and election laws, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund, having considered the same, report the same under joint rule No. 6 with the following amendment, and the recommendation that the resolution as amended ought to pass.

Amend said resolution by striking out the words "New England" in the thirty-third line and inserting in place thereof the word, New Hampshire; further amend said

resolution by striking out the last sentence thereof and inserting in place thereof the following:

The governor is hereby authorized to draw his warrant for sums not exceeding said sum of seventeen thousand, eight hundred dollars for each of said years out of any money in the treasury not otherwise appropriated.

On a *viva voce* vote the amendment was adopted and the joint resolution was sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 62, An act relating to the protection of the public health.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

Senate Bill No. 75, An act prohibiting wilful or malicious interference with or harm to horses used for racing, and prescribing penalties therefor.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloane of Berlin.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILL

Senator Eastman under a suspension of the rules, six-

teen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 94, An act changing the name of Gorham Pond to Lake Gorham.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 29 (in new draft), An act relating to Building and Loan Associations.

House Bill No. 424, An act relating to primary and election laws.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, APRIL 28, 1937.

The Senate met according to adjournment.

Senator Hamlin in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following

entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway, March 31, 1937.

House Bill No. 121, An act relating to sending of presidential check-list to State Library.

House Bill No. 380, An act to assure an adequate supply of proper milk.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 445, An act legalizing the proceedings of the Conway Village Fire Precinct held in the town of Conway, March 31, 1937.

To the Committee on Revision of Laws:

House Bill No. 121, An act relating to sending of presidential check-list to State Library.

To the Committee on Agriculture:

House Bill No. 380, An act to assure an adequate supply of proper milk.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom were referred:

Senate Bill No. 43, An act to define and extend the rights of adopted children.

Senate Bill No. 74, An act relating to the payment of

poll taxes as a prerequisite to receipt of motor vehicle permits for registration or fishing and hunting licenses.

Having considered the same, report the same with the following resolution:

Resolved, That they are inexpedient to legislate.

The reports were accepted, the resolutions were adopted.

MAJORITY AND MINORITY REPORTS

A majority of the Committee on Judiciary to whom was referred Senate Bill No. 48, An act to provide for the regulation of small loans, having considered the same, report the same without amendment and recommend its passage.

ALLEN M. FREEMAN,
WILLIAM M. COLE,
LULA J. A. MORRIS,
EMMETT J. KELLEY,
A Majority of the Committee.

A minority of the Committee on Judiciary to whom was referred Senate Bill No. 48, An act to provide for the regulation of small loans, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALLAN M. WILSON,
HAVEN DOE,
SCOTT C. W. SIMPSON,
A Minority of the Committee.

The report of the majority was accepted.

Senator Doe moved that the report of the minority be substituted for that of the majority and with that motion pending the bill be made a special order for Thursday, April 29th, at 10:01 o'clock.

On a *viva voce* vote the affirmative prevailed and the bill was made a special order at 10:01 o'clock Thursday, April 29th.

A majority of the Committee on Judiciary to whom was referred:

Senate Bill No. 86, An act relating to daylight saving time, having considered the same, report the same without amendment and recommend its passage.

ALLAN M. WILSON,
WILLIAM M. COLE,
HAVEN DOE,
ALLEN M. FREEMAN,
EMMETT J. KELLEY,
A Majority of the Committee.

A minority of the Committee on Judiciary, to whom was referred Senate Bill No. 86, An art relating to daylight saving time, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

LULA J. A. MORRIS,
SCOTT C. W. SIMPSON,
A Minority of the Committee.

The report of the majority was accepted.

Senator Eames moved that the report of the minority be substituted for that of the majority.

(Discussion ensued)

Senator Eastman demanded a roll call.

The question being stated:

Shall the report of the minority be substituted for that of the majority?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Eames, Simpson, Guyer, Eastman and Conner.

The following named Senators voted in the negative:

Senators Stafford, Hamlin, Freeman, Hanson, Randall, Heald, Burque, Blood, Wilson, Mahoney, Moran, Daniel, Doe, Calef, Cole and Allen.

Paired: Senator Morris voting yes; Senator Alexander voting no.

Five Senators having voted in the affirmative and sixteen having voted in the negative the negative prevailed and the report of the minority was not substituted for that of the majority.

The question being stated:

Shall the recommendation of the Committee be adopted?

On a *viva voce* vote, the recommendation was adopted and the bill ordered to a third reading at one o'clock this afternoon.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 305, An act relating to suppression of insect pests and plant diseases, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Heald for the Committee on Labor, to whom was referred House Bill No. 105, An act relating to posting of piece rate prices, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Heald for the Committee on Labor, to whom was referred House Bill No. 192, An act relating to wages, having considered the same, report the same with the follow-

ing amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Payment of Wages.* Amend the subdivision in chapter 176 of the Public Laws relating to the payment of wages by inserting after section 27 the following new section: 27-a. *Rights of Employees.* Any employer of labor, as defined in section 25, as amended by chapter 69, Laws of 1935, before any new employee begins work shall inform such prospective employee the amount of wages he is to receive, if employed, and any such employer before the wages of any person then employed shall be changed shall inform such employee the amount of wages he is to receive by such change. If wages are to be paid by the hour, piece or percentage basis, such employer shall inform such employee of the rate to be paid, provided that in the case of wage incentive plans such employee shall be informed of the approximate minimum rates and the methods upon which supplementary wages are to be based.

2. This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Hanson for the Committee on Revision of Laws, to whom were referred:

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

House Bill No. 401, An act establishing Commissioner Districts in the County of Coos.

Senate Bill No. 83, An act relating to deposits by State Treasurer.

Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

Senator Hanson for the Committee on Revision of Laws, to whom was referred Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Practice of Medicine.* Amend section 10 of chapter 204 of the Public Laws by inserting after the word "school" in the ninth line the words, and has completed an internship, approved by the board, of not less than twelve months, so that said section as amended shall read as follows: 10. *Applicants.* The board shall admit to examination any applicant who pays a fee of twenty dollars and submits satisfactory evidence in writing, verified by oath if required, that he is more than twenty-one years of age, of good moral character, has completed satisfactorily two years' work in college, or has a preliminary education considered and accepted by the board as fully equivalent, has studied the treatment of human ailments not less than four school years of not less than nine months each, in a medical school maintaining at that time a standard satisfactory to the board, and has graduated from such school and has completed an interneship, approved by the board, of not less than twelve months. The provisions of this section may be suspended in whole or in part by order of the board on account of war or other threatened or existing national calamity.

2. *Takes Effect.* This act shall take effect upon January 1, 1938.

The report was accepted, amendment adopted and the bill

as amended ordered to a third reading this afternoon at one o'clock.

Senator Hanson for the Committee on Revision of Laws, to whom were referred

House Bill No. 436, An act providing for special fund for improvement and maintenance of public waters,

Senate Bill No. 69, An act relating to licenses to operate motor vehicles,

Having considered the same, report the same with the following resolution:

Resolved, That they are inexpedient to legislate.

The reports were accepted and the resolutions adopted.

Senator Hanson for the Committee on Revision of Laws, to whom were referred Senate Bill No. 87, An act prohibiting the conspiring of three or more persons unlawfully to occupy, hold and possess certain buildings against the will and without the consent of the owner or lessee thereof, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate, the subject matter being covered by existing statutes.

The report was accepted and the resolution adopted.

INTRODUCTION OF COMMITTEE REPORT

Senator Burque under a suspension of the rules introduced a Committee report not previously advertised in the journal.

Senator Burque for the Committee on Banks, to whom was referred House Bill No. 430, An act relating to institutions under the supervision of the Bank Commission. having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 191, An act relating to the weights of motor vehicles, having considered the same,

report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word and figure "and 23" in the first and second lines; by striking out the word "with" in the tenth line and inserting in place thereof the word, having; by striking out the words "or any" in the same tenth line and inserting in place thereof the words, and no; and by adding at the end of said section the words and figures, which is an amendment of section 5 of chapter 91, section 12 of chapter 54, and section 15 of chapter 47, of the Public Laws.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF BILL

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on Labor.

Senate Bill No. 95, An act relative to unemployment compensation.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 286, An act defining house trailers.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request His Excellency, the Governor, returned to the Senate for further consideration House Bill No. 286, An act defining house trailers.

On motion of Senator Wilson, the rules were so far suspended as to allow a reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Revision of Laws.

On motion of Senator Eames the following resolution was adopted:

Resolved, That the rules be suspended and that all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

Senate Bill No. 86, An act relating to daylight saving time.

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate bridge authority.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Bill No. 192, An act relating to wages.

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

House Bill No. 401, An act establishing commissioner districts in the County of Coos.

Senate Bill No. 83, An act relating to deposits by State Treasurer.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages.

House Bill No. 430, An act relating to institutions under the supervision of the Bank Commission.

On motion of Senator Eastman, the Senate adjourned.

THURSDAY, APRIL 29, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School District held in the town of Weare on April 10, 1937.

House Bill No. 411, An act providing for special grill room licenses to first-class hotels.

The message further stated that the House of Representatives has passed the following entitled joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in

its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolution:

House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 123, An act relating to license for bonded warehouses.

Amend section 1 of said bill by striking out the last sentence and inserting in place thereof the following:

Any public warehouseman shall be required to obtain an annual license from the Secretary of State. The fee for such license shall be twenty-five dollars.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *License Required.* Amend chapter 169 of the Public Laws by inserting after section 1, as hereinbefore amended, the following new section: 1-a. *Penalty.* Whoever violates any provision of section 1 of this chapter shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

On motion of Senator Doe, the Senate voted to concur in the amendments sent up by the House of Representatives.

READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred

To the Committee on the Judiciary:

House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School District held in the town of Weare on April 10, 1937.

On motion of Senator Eastman, the rules were suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

To the Committee on Liquor Laws:

House Bill No. 411, An act providing for special grill room licenses to first-class hotels.

To the Committee on Claims:

House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer.

On motion of Senator Guyer, the rules were suspended, printing and reference to committee dispensed with, and the forgoing entitled joint resolution was read a third time and passed.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom were referred

Senate Bill No. 91, An act changing the name of Pemigewasset Pond to Pemigewasset Lake,

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton,

House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the Town of Rye,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted, and the bills ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on the Judiciary to whom was referred Senate Bill No. 85, An act requiring operators of certain boats to be licensed, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by changing the title thereof to read as follows:

An act in relation to the operation of certain boats.

Further amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. Amend chapter 378 of the Public Laws by inserting after section 26 thereof the following new section: 26-a. *Operation of Boats.* It shall be unlawful for any person, while under the influence of intoxicating liquor or any narcotic or habit producing drug, to operate upon any of the waters of this state any boat propelled by electric, naphtha, gasoline, steam or other mechanical power. Any person convicted of a violation of the foregoing prohibition shall not operate any boat as defined above upon the waters of this state for a period of one year from the date of such conviction. A person convicted of any violation of this section shall be fined not more than one hundred dollars, or imprisoned not more than six months or both.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted, and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on the Judiciary to whom was referred Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out the first section thereof and substituting therefor the following:

1. *Public Service Commission.* Amend section 11 of chapter 151 of the Public Laws by striking out the same and inserting in place thereof the following. 11. *Regulation of Boats.* In the interest of public safety the public service commission may from time to time make rules and regulations relative to equipment and operation of all boats,

rafts and floats of whatever kind, type or character operated or used on any public waters in this state. Such rules and regulations shall be binding on the persons owning, leasing or operating such boats, rafts and floats.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Authority.* The town of Farmington is hereby authorized to issue its serial notes or bonds to an amount not exceeding twenty-two thousand dollars for the purpose of refunding an equal amount of floating debt represented by outstanding notes. Said serial notes or bonds shall be signed by the selectmen, or a majority thereof, and countersigned by the treasurer.

2. *Terms.* Said issue of said notes or bonds shall be due and payable at such times not more than twenty years from the date of issue and in such amounts and in such manner as the board of selectmen and treasurer of said town shall determine at a rate of interest to be fixed by said board.

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Farmington on March 9, 1937 so far as they relate to the appropriations for the purposes set forth in Section 1 and the issuance of notes and bonds in pursuance thereof are hereby legalized, ratified and confirmed and made as effective as if such proceedings were taken after the passage of this Act.

4. *Application of General Law.* Except as otherwise provided in this Act the provisions of chapter 59 of the

Public Laws shall apply to the serial notes or bonds hereby authorized.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted, and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Heald for the Committee on Labor, to whom was referred Senate Bill No. 90, An act to provide one day rest in seven, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by changing the title thereof to read as follows:

An act relative to exceptions to the law regarding one day rest in seven.

Further amend the bill by adding after the word, periodicals, line 15, section 1, the words, "with definite on sale news stand dates," so that said section as amended shall read as follows:

Amend section 47, sub-division III, of chapter 176 of the Public Laws, as amended by chapter 130 of the Laws of 1933, by adding at the end of said sub-division III the words, or periodicals; so that said section as amended shall read as follows:

47. *Exceptions.* Sections 44 and 45 shall not apply to the following employees:

I. Janitors, watchmen, firemen employed at stationary plants, or caretakers.

II. Employees whose duties on Sunday include only setting sponges in bakeries; caring for live animals or caring for machinery and plant equipment.

III. Employees engaged in the preparation, printing, publication, sale or delivery of newspapers, or periodicals with definite on sale news stand dates.

IV. Employees engaged in farm or personal service.

V. Employees engaged in any labor called for by an emergency which could not reasonably have been anticipated.

VI. Employees engaged in any work connected with the theatre or motion picture houses.

The report was accepted, amendments adopted, and the bill as amended ordered to a third reading this afternoon at one o'clock.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Moran, the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Senator Moran for the Committee on Claims, to whom was referred Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

On motion of Senator Wilson, the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. Amend section 6 of "An act to authorize the city of Berlin to acquire a piece of land in the town of Milan and to operate a recreation field thereon," approved February 12, 1937, by striking out said section and inserting in place thereof the following:

6. Said recreation field and structures thereon or there-

in, to be operated for the benefit of the public and all structures and improvements connected therewith shall be exempt from taxation; but the city of Berlin shall make payments on or before the first day of November of each year to the said town of Milan of a sum equal to the taxes which would have been assessed against the said field if the same had been included in the list of taxable property for such year at the assessed valuation of the same as determined for the tax year 1936; said field to be policed by the officials of said Milan when requested and paid by the city of Berlin. All revenue received on account of said field or structures shall be paid to the city treasurer at least once a month, who shall hold the same in a separate fund, designated as the "Recreational Fund", to be used solely for the erection and maintenance of all structures on said field.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 131, An act relative to brakes on trailers, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out all of section 1 before the word "brakes" in the third line and inserting in place thereof the following:

1. *Equipment for Motor Vehicle Trailers.* Amend chapter 103 of the Public Laws by inserting after section 4 the following new section: 4-a.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 401, An act establishing commissioner districts in the county of Coos, having considered the same, report the same under joint rule No. 6

with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "and" in the second line; by inserting after the figure "1931" in the third line the words and figures, and chapter 43 of the Laws of 1937; by striking out the figure "18" in the third line and inserting in place thereof the figure 21; and by striking out the figures "19," "20," and "21," in the fourth, tenth and twelfth lines and inserting in place thereof, respectively, the figures, 22, 23 and 24.

as amended sent to the House of Representatives for concurrence in Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 424, An act relating to primary and election laws, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the word "will" in the fourth line and inserting in place thereof the word, shall.

Amend section 10 of said bill by striking out the words "the town" in the fourth and fifteenth lines and inserting in place thereof the word, said.

Amend section 18 by striking out the word "filed" in the sixteenth line and inserting in place thereof the word, filled.

The report was accepted, amendment adopted, and the bill as amended, sent to the House of Representatives for concurrence in Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

LULA J. A. MORRIS,
For the Committee.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

On motion of Senator Wilson, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senate Bill No. 97, An act relative to an authorized bond issue by the town of Wolfeboro.

On motion of Senator Wilson, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Mahoney under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Health:

Senate Bill No. 98, An act concerning the control of narcotic drugs, as revised by the Federal Narcotic Bureau August 1932.

SPECIAL ORDER

Senator Doe called for the special order, the substitution of the minority report for that of the majority on Senate Bill No. 48, An act to provide for the regulation of small loans.

The question being:

Shall the report of the minority, inexpedient to legislate be substituted for that of the majority, ought to pass?

(Discussion ensued)

Senator Doe demanded a roll call.

The Clerk proceeded to call the roll.

The following Senators voted in the affirmative:

Senators Simpson, Guyer, Heald, Burque, Eastman, Blood, Wilson, Moran, Daniel, Doe, Calef, Conner and Allen.

The following Senators voted in the negative:

Senators Kelley, Morris, Eames, Stafford, Hamlin, Freeman, Hanson, Randall, Mahoney, and Cole.

Thirteen Senators having voted in the affirmative and ten in the negative the affirmative prevailed and the minority report was substituted for that of the majority.

The question being stated:

Shall the recommendation of the committee be adopted?

On a *viva voce* vote, the affirmative prevailed, and the committee recommendation was adopted.

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye.

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton.

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

Senate Bill No. 90, An act relative to exceptions to the law regarding one day rest in seven.

Senate Bill No. 91, An act changing the name of Pemigewasset Pond to Pemigewasset Lake.

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

On motion of Senator Randall, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:30 o'clock.

On motion of Senator Eames, the Senate adjourned.

TUESDAY, MAY 4, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Morris was granted leave of absence on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 234, An act relative to taking of suckers.

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges.

House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Bill No. 78 (in new draft), An act relating to alimony.

The message further stated that the House of Representatives has passed the following entitled joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the battle of Gettysburg.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 82, An act relating to business corporations.

Senate Bill No. 97, An act relative to an authorized bond issue by the town of Wolfeboro.

Senate Bill No. 80, An act relative to examination for the practice of embalming.

The message further stated that the House of Repre-

sentatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 191, An act relating to the weight of motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 401, An act establishing commissioner districts in the County of Coos.

House Bill No. 424, An act relating to primary and election laws.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills and joint resolutions:

House Bill No. 192, An act relating to wages.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

The message further stated that the House of Representatives has passed the following resolution:

Resolved, That the House thank the Honorable Senate for its recognition of the House as the upper branch of this Legislature, since the Senate has voted to concur in amendments sent down by the House of Representatives.

READ AND REFERRED

The following entitled bills and joint resolutions were read a first and second time and referred

To the Committee on Fisheries and Game:

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 234, An act relative to taking of suckers.

To the Committee on the Judiciary:

House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

To the Committee on Finance:

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the battle of Gettysburg.

To the Committee on Revision of Laws:

House Bill No. 78 (in new draft), An act relating to alimony.

To the Committee on Public Improvements:

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges.

House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay.

To the Committee on Claims:

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom was referred Senate Bill No. 92, An act relating to games of skill, having considered the same, report the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the Committee adopted.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 156, An act relating to limited partnerships, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out sections 1, 2, and 3 thereof and substituting therefor the following sections:

1. *Authorization.* The Woodsville Fire District is hereby authorized to issue its serial notes or bonds to an amount not exceeding forty-five thousand dollars ($45,000.) for the purpose of erecting a community house. Said serial notes or bonds shall be signed by the commissioners of said district, or a majority thereof, and countersigned by the treasurer of said district.

2. *Terms.* Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty years from their date of issue, in such manner and with such provisions as the commissioners of said district, or a majority thereof, shall determine, and at a rate of interest to be fixed by said commissioners.

3. *Application of General Laws.* Except as otherwise provided by this act the provisions of chapter 59 of the Public Laws shall apply to the serial notes or bonds herein authorized.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 449, An act relating to the compensation of the County Treasurer, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "four" after the word "Rockingham" and inserting in place

thereof the word eight; so that said section as amended shall read as follows:

1. *County Treasurers.* Amend section 12, chapter 39 of the Public Laws as amended by chapter 104 of the Laws of 1935 by striking out the whole of said section and inserting in place thereof the following: 12. *Salaries and Expenses.* The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars
In Strafford, four hundred dollars
In Belknap, three hundred dollars
In Carroll, four hundred dollars
In Merrimack, four hundred dollars
In Hillsborough, twelve hundred dollars
In Cheshire, two hundred dollars
In Sullivan, two hundred dollars
In Grafton, three hundred dollars
In Coos, four hundred dollars

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 219, An act relating to foreign insurance companies and their agents, having considered the same, report the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 430, An act relating to institutions under the supervision of the bank commission, having considered the same, report the same under joint rule

No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by adding at the end thereof the words, relative to bonds of treasurers of savings banks.

Amend section 3 of said bill by striking out the words and figures, "Public Laws, chapter 265, section 29" and inserting in place thereof the words and figures, section 29, chapter 265 of the Public Laws.

Amend section 4 of said bill by striking out the words and figures, "and renumbering sections 30, 31, 32, 33 thereof to be respectively sections 26, 27, 28 and 29," and inserting in place thereof the words, relative to officers' bonds.

Amend section 6 of said bill by striking out the word "added" in the second line and inserting in place thereof the word, inserted; by striking out the words "the same" in the eighth line and inserting in place thereof the words, said section; and by inserting after the word "read" in the same line the words, as follows.

Amend section 8 of said bill by inserting after the word "thereto" the words, the following.

Amend section 10 of said bill by striking out the word "both" in the first line; and by inserting after the word "Laws" in the second line the words, relative to right to act as savings bank.

Amend section 11 of said bill by striking out all before the word "Loans" in the second line and inserting in place thereof the following:

11. *Investments.* Amend paragraph I-a, section 3, chapter 262 of the Public Laws, as inserted by section 1, chapter 32, Laws of 1935, by striking out the same and inserting in place thereof the following: I-a.

Amend section 12 of said bill by striking out all of said section and inserting in place thereof the following:

12. *Repeal.* Paragraph VIII-b of section 3 of chapter 262 of the Public Laws, as inserted by section 3, chapter 32, Laws of 1935, relative to investments in obligations of national mortgage associations, is hereby repealed.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills to whom was referred House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figure "of said section 1" in the fifth line and inserting in place thereof the word, thereof.

Further amend said section 1 of said bill by striking out the figure "68e" and inserting in place thereof the figure, 68, and by striking out the words and figures "as amended by chapter 90 of the Laws of 1929", where said words and figures occur in the ninth, tenth, thirty-eighth and thirty-ninth lines.

Further amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 394, An act relating to lines of telegraph and other companies in highways, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines thereof and inserting in place thereof the following:

1. *Lines of Wire, Cables, etc.* Amend section 2, chapter 97, Public Laws, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 2 of said bill by striking out all of said

section before the word "and" in the third line and inserting in place thereof the following:

2. *Action on Petition.* Amend section 5 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 3 of said bill by striking out all before the word "and" in the third line and inserting in place thereof the following:

3. *Dissatisfaction of Parties in Interest.* Amend section 7 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 4 of said bill by striking out all before the word "and" in the third line and inserting in place thereof the following:

4. *State Highways and Trunk Lines.* Amend section 9 of said chapter 97 as inserted by chapter 100 of the Public Laws, by striking out said section.

Amend section 5 of said bill by striking out all before the word "and" in the third line and inserting in place thereof the following:

5. *Authority to Grant.* Amend section 11 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 6 of said bill by striking out the first three lines and inserting in place thereof the following:

6. *Licenses.* Amend said chapter 97, as inserted by chapter 100 of the Laws of 1935, by adding after section 11 the following new section:

Further amend said bill by adding at the end thereof the following new section:

7. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 382, An act relative to

laying out of highways, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out section 3 and inserting in place thereof the following:

3. *Construction and Maintenance.* Amend section 6 of chapter 77 of the Pnblic Laws by striking out the whole of said section and inserting in place thereof the following: 6. *Payment.* The state shall pay such portion of the services of the commissioners, the sums awarded to owners of land and costs of construction of the highway as the governor with the advice of the council shall deem just and reasonable. All sums so determined shall be a charge upon the highway funds. The balance of said costs and charges shall be paid by the town or towns in which said highway is laid out. Said highway shall be maintained by said town or towns unless the governor and council shall otherwise determine.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operator motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 191, An act relating to the weights of motor vehicles.

House Bill No. 274, An act relating to the terms of office

of the members of the Maine-New Hampshire Interstate Bridge Authority.

House Bill No. 401, An act establishing commissioner districts in the county of Coos.

House Bill No. 424, An act relating to primary and election laws..

House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School District held in the town of Weare on April 10, 1937.

House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund.

House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILLS

Senator Allen under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

On motion of Senator Allen, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Conner under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 100, An act relating to control of navigation at Hampton Harbor, the Inlet, so called, and Hampton river.

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

The President declared a recess.

(Recess)

The Senate re-assembled.

RECONSIDERATION

On motion of Senator Allen, the Senate voted to reconsider the vote on Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

On motion of Senator Allen, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing bill was ordered to a third reading.

On motion of the same Senator, the Bill was laid on the table to be printed and recommitted to the Committee on Judiciary.

ORDER VACATED

On motion of Senator Moran, the orders whereby House Joint Resolution No. 78, Joint resolution in favor of the Town of Holderness, House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, House Joint Resolution No. 112, Joint reslution in favor of Herbert Downing and others, were referred to the Committee on Claims were vacated and the several joint resolutions were referred to a Joint Committee on Claims and Finance.

On motion of Senator Doe, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation.

House Bill No. 449, An act relating to the compensation of the County Treasurer.

On motion of Senator Daniel, the Senate adjourned.

WEDNESDAY, MAY 5, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Guyer was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 81, An act relating to taking of deer in Carroll County.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled senate bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 82, An act relating to business corporations.

Amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Senator Doe, the Senate voted to concur in the amendment sent up by the House of Representatives.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to House Bill No. 444, An act relating to operation of a recreational field by the city of Berlin and asks for a Committee of Conference. The Speaker has appointed as members of such committee on the part of the House Mrs. Brungot of Berlin and Messrs. Studd of Berlin and Fogg of Milan.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on the foregoing entitled bill, and the President appointed on the part of the Senate as members of the Conference Committee Senators Wilson and Kelley.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred

To the Committee on Judiciary:

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom were referred:

Senate Bill No. 47, An act providing for an addition to the cell block of the State Prison,

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

1. That the sum of one hundred seventeen thousand, two hundred eleven dollars and five cents ($117,211.05) be and hereby is appropriated for the highway department to rehabilitate the funds for said department on account of premiums received by the state from sale of certain bonds, which said premiums were covered into the general funds of the state. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

2. *Bonds Authorized.* The state treasurer is hereby authorized, under direction of the governor and council, to borrow upon the credit of the state not exceeding one hundred seventeen thousand, two hundred eleven dollars and five cents ($117,211.05) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the

date of issue. Such bonds and notes shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds and notes countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds and notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor, for the purposes of this act alone and the governor with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for by this act of all sums expended or due for the purposes herein authorized. Interest from such bonds and notes shall not be subject to the taxes imposed by chapter 65 of the Public Laws.

3. *Short Term Notes.* Prior to the issuance of bonds hereunder the treasurer, under the direction of the governor and council, shall for the purposes hereof borrow money from time to time on short term loans to be refunded by the issuance of the bonds hereunder.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on Judiciary, to whom were referred:

Senate Bill No. 94, An act changing the name of Gorham Pond to Lake Gorham.

House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway, March 31, 1937.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opechee, and Winnisquam, and the Winnipesaukee River, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

Senate Bill No. 97, An act relative to an authorized bond issue by the town of Wolfeboro.

House Bill No. 192, An act relating to wages.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

HAVEN DOE,
For the Committee.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That His Excellency the Governor be request-

ed to return for further consideration the following entitled bill, House Bill No. 442, An act to grant planning and zoning powers to the Hampton Village District in the town of Hampton.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request His Excellency returned House Bill No. 442, An act to grant planning and zoning powers to the Hampton Village District in the town of Hampton.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Judiciary.

INTRODUCTION OF BILLS

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senator Cole under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Commitee on Revision of Laws.

Senate Bill No. 103, An act relating to bathing in Lake Massabesic.

The President declared a recess.

(Recess)

The Senate re-assembled.

BILLS RECALLED FROM COMMITTEE

On motion of Senator Wilson, the Senate voted to recall from the Committee on Judiciary House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

On motion of the same Senator, the rules were suspended, reference to committee dispensed with, and the above entitled bill was ordered to a third reading and passed at the present time.

On motion of Senator Wilson, the Senate voted to recall from the Committee on Judiciary House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

On motion of the same Senator, the rules were suspended, reference to committee dispensed with and the above entitled bill was ordered to a third reading and passed at the present time.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

Senate Bill No. 47, An act providing for an addition to the cell block of the State Prison.

Senate Bill No. 94, An act changing the name of Gorham Pond to Lake Gorham.

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 445, An act legalizing the proceedings of

the meeting of the Conway Village Fire District held in the town of Conway March 31, 1937.

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, MAY 6, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Wilson, Mahoney and Cole were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 395, An act relative to clerk hire in the Probate Office of Hillsborough County.

House Bill No. 453, An act relative to non-resident truck owners.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation.

House Bill No. 449, An act relating to the compensation of the County Treasurer.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on

Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 382, An act relative to laying out of highways.

House Bill No. 430, An act relating to institutions under the supervision of the Bank Commission.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct District in the town of Rye.

The message further stated that the House of Representatives has voted to adopt the report of the Committee of Conference to House Bill No. 118 (in new draft), An act relating to the open and closed season for taking fish in certain waters.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Judiciary:

House Bill No. 395, An act relative to clerk hire in the Probate Office of Hillsborough.

To the Committee on Transportation:

House Bill No. 453, An act relative to non-resident truck owners.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 79, Joint resolution relating to index for session laws, having considered the same, report the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 281, An act to create a State Board of Accountancy, having considered the same, report

the same with the following amendments and recommend that the bill as amended ought to pass.

Amend Section 2 of the bill by striking out the last two lines thereof and inserting in place thereof the following: "Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum" so that said section as amended shall read as follows:

2. *Board of Accountancy.* There is hereby created a board of accountancy to consist of three members to be appointed by the Governor with the advice and consent of the Council, all of whom shall be holders of certificates issued under the provisions of this chapter or under the provisions of chapter 127 of the laws of 1921 heretofore known as chapter 270 of the Public Laws. Members of the Board must have held certificates as Certified Public Accountants from the State of New Hampshire for a period of at least five years immediately preceding their appointment.

At least two members of the Board shall be actively engaged in the practice of public accounting at the time of their appointment.

Those first appointed shall hold office, one for one year, one for two years, and one for three years and until their successors are appointed and qualified, the term of each to be designated by the Governor and Council in each appointment. Their successors shall be appointed for terms of three years and until their successors are appointed and qualified. No person shall be appointed to serve more than two consecutive terms. Vacancies occurring in the board may be filled by the Governor with the advice and consent of the Council by appointment for the unexpired term. The Governor may, with the advice and consent of the Council, after hearing, remove any member of the board for neglect of duty or other just cause. The board shall organize by the election of a chairman and a secretary-treasurer and

may make all rules and regulations necessary to carry into effect the purposes of this act. A majority of members acting as a board shall constitute a quorum for the transaction of business. The board shall have a seal which shall be judicially noticed. The board shall keep a record of all the proceedings and actions by and before the board, and in any proceeding in a court a certificate under the seal of the board shall be *prima facie* evidence of any proceeding or action by or before the board stated in said certificate. Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum.

Further amend the bill by striking out in line section 9 the words "six months," and inserting in place thereof the words, "one month," so that said section as amended shall read as follows:

9. *Neglect.* The name of any Certified Public Accountant who fails to register within one month of the annual date of his admission to practice in this state shall be dropped from the records of the board and his certificate, as a certified public accountant, shall be forfeited, provided, however, that the board of accountancy may have the power to re-instate said certificate upon receipt of application and due consideration of the circumstances in connection with the case.

The report was accepted.

On motion of Senator Hamlin, the bill with the accompanying report was recommitted to the Committee on Finance.

Senator Hamlin for the Committee on Agriculture, to whom was referred House Bill No. 380, An act to assure an adequate supply of proper milk, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 118, (in new draft), An act relating to the open and closed season for taking fish in certain waters, having considered the same, report the same with the recommendation that the House recede from its position of nonconcurrence in regard to Corbetts Pond in Windham and that the Senate recede from its position in adopting its amendments in regard to Corbetts Pond in Windham and adopt the following amendment:

Amend paragraph 1 of section 5 in section 3 by striking out the words "Corbetts Pond in Windham" in line 2:

Further amend section 5 in section 3 by adding at the end thereof a new paragraph to read as follows:

VII. Corbetts pond in Windham until May 1st, 1941.

And the Senate and House of Representatives adopt the remainder of the report.

WILLIAM C. COLE,
DENNIS F. MAHONEY,
Conferees on the Part of the Senate.

ELIHU T. ADAMS,
ROBERT ST. FRANCOIS,
RAMSAY,
Conferees on the Part of the House.

On a *viva voce* vote the Senate voted to adopt the report of the Committee on Conference.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Guyer, the rules were suspended to introduce two committee reports not previously advertised in the journal.

Senator Guyer for the Committee on Forestry, to whom were referred:

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest land acquired by the Federal government,

House Bill No. 86, An act relating to caretakers on recreational areas on state lands,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 82, An act relating to business corporations.

House Bill No. 123, An act relating to licenses for bonded warehouse.

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 445, An act legalizing the proceedings of the meeting of Conway Village Fire District held in the town of Conway March 31, 1937.

House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

HAVEN DOE,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the Federal government.

House Bill No. 86, An act relating to caretakers on recreational areas on state lands.

On motion of Senator Moran, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday afternoon at 4:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, MAY 7, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 7, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MAY 10, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 10, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MAY 11, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 254, An act creating a Department of State Police.

House Bill No. 204 (In new draft and new title), An act relating to liability insurance.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

House Bill No. 394, An act relating to lines of telegraph and other companies in highways.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 56, An act relative to the placing out of infants.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Placing of Infants.* Amend section 12 of chapter 113 of the Public Laws, as amended by chapter 177, Laws of 1929, by striking out the words "for Compensation" in the second and third lines and inserting in place thereof the words, for a period of more than thirty days, so that said section as amended shall read as follows: 12. *Notice of Placing.* Whoever receives under his care or control, and whoever places under the care or control of another, for a period of more than thirty days, an infant under three years of age, which is not related by blood or marriage to the person receiving it, shall, within two days thereafter, give notice thereof, and of the terms upon which such infant was received, to the state board of public welfare, with the name, age and residence of the infant, its parents and the persons from whom and by whom it was received.

On motion of Senator Wilson, the bill with the accompanying amendment was laid on the table for further consideration.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time, and referred:

To the Committee on Judiciary:

House Bill No. 254, An act creating a Department of State Police.

To the Committee on Insurance:

House Bill No. 204 (In new draft and new title), An act relating to liability insurance.

COMMITTEE REPORT

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 380, An act to assure an adequate supply of proper milk, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

INTRODUCTION OF JOINT RESOLUTION

Senator Calef under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution, which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Health:

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

TAKEN FROM THE TABLE

On motion of Senator Wilson, Senate Bill No. 56, An act relative to the placing out of infants, was taken from the table.

On motion of the same Senator, the Senate voted to concur in the amendments sent up from the House of Representatives.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hanson, the following resolution was adopted:

Resolved, That when the Senate adjourns today it be in

memory of former Senator Clarence W. Houghton, of Walpole.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READING

The following entitled bill was read a third time and passed:

House Bill No. 380, An act to assure an adequate supply of proper milk.

On motion of Senator Kelley, the Senate adjourned in memory of former Senator Clarence W. Houghton, of Walpole.

WEDNESDAY, MAY 12, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Guyer was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 455, An act authorizing the Orford School district in the town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills.

Senate Bill No. 86, An act relating to daylight saving time.

Senate Bill No. 29, An act relating to building and loan associations.

Senate Bill No. 83, An act relating to deposits by State Treasurer.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

The message further stated that the House of Representatives has voted to adopt the report of the Committee of Conference to Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary:

House Bill No. 455, An act authorizing the Orford School district in the town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the Battle of Gettysburg, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

On motion of Senator Blood, the bill was recommitted to the Committee on Finance.

Senator Moran for the Committee on Claims, to whom was referred:

House Joint Resolution No. 78, Joint resolution in favor of the Town of Holderness,

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others,

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions referred to the Committee on Finance under the rules.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, recommended that the Senate recede from its posi-

tion of non-concurrence in the amendment adopted by the House, and that the House recede from its position in adopting said amendment, and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by changing the title thereof so that the same will read:

An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Motor Vehicle Registration.* Amend section 4, chapter 100 of the Public Laws by striking out said section and inserting in place thereof the following: 4. *Expiration.* The registration of every motor vehicle, trailer, semi-trailer or tractor shall expire at midnight upon March thirty-first next following the date of its issue, unless otherwise provided.

2. *Municipal Permits.* Amend section 18 of said chapter 100 by striking out the words "December thirty-first of the year when issued" and inserting in place thereof the words, March thirty-first next following the date of their issue, so that said section as amended shall read as follows: 18. *Expiration.* All permits for registration of motor vehicles provided for in this chapter shall expire at midnight upon March thirty-first next following the date of their issue.

3. *Amendment.* Amend section 12 of said chapter 100, as amended by chapter 5, Laws of 1929 by striking out said section and inserting in place thereof the following: 12. *Transfer Credits.* Upon the transfer of ownership of a motor vehicle the permit shall expire; provided, that any owner who has paid a permit fee for a motor vehicle the ownership of which is transferred, or which is subsequently totally lost by fire, theft or accident, during the same fiscal year ending March thirty-first shall be entitled to a credit to the amount of any such permit fee or fees

towards other permit fees which may be required of him in the same fiscal year; and provided further that a minimum amount of fifty cents in cash shall be paid for each permit issued. No portion of any permit fee once paid shall be repaid to any person and from December first to March thirty-first such credit shall not exceed one-third of the amount of the original fee.

4. *Amendment.* Amend section 15 of said chapter 100 by striking out the word "September" in the second line and inserting in place thereof the word December, and by striking out the word "December" in the third line and inserting in place thereof the word March, so that said section as amended shall read as follows: 15. *Reduced Fee.* For permits issued under the provisions of this chapter during the period beginning with December first and ending March thirty-first the fees shall be one-third of the sum named in section 14.

5. *Operator's License.* Amend section 8 of chapter 101 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Expiration.* All licenses to operate motor vehicles, except special non-resident certificates, shall expire on March thirty-first next following the date of their issue.

6. *Number Plates.* Amend section 2 of chapter 103 of the Public Laws, as amended by chapter 76 of the Laws of 1927, by striking out said section and inserting in place thereof the following: 2. *Use of.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle, trailer, semi-trailer or tractor so operated, but during the period from March twenty-ninth to March thirty-first, inclusive, the owner of a vehicle which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the succeeding fiscal year, may display in the manner provided herein in place of the num-

ber plates then in use the number plates for the succeeding fiscal year.

7. *Fiscal Year.* All sections of the motor vehicle laws referring to the calendar year are hereby amended in so far that such sections shall now apply to the fiscal year ending on March thirty-first.

8. *Temporary Provisions for Registration.* For the period from January first to March thirty-first, inclusive, 1938, the owner of a motor vehicle, trailer, semi-trailer or tractor which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the year 1937, shall display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said 1937 number plates and such motor vehicles, trailers, semi-trailers or tractors displaying such number plates shall be deemed to be properly registered for the period ending March thirty-first. The registration of every motor vehicle, trailer, semi-trailer or tractor registered for the period from January first, 1938, to March thirty-first, 1938, shall expire at midnight on March thirty-first, 1938. For such registrations the commissioner may issue 1937 plates and such motor vehicles, trailers, semi-trailers or tractors displaying such 1937 number plates shall be deemed to be properly registered. For the registration of motor vehicles during the period from January first, 1938, to March thirty-first, 1938, no permit for registration as provided for in section 10, chapter 100, Public Laws shall be required.

9. *Temporary Provisions for Operators Licenses.* For the period from January first to March thirty-first, inclusive, 1938, a person who has been properly licensed to operate a motor vehicle in accordance with the provisions of chapter 101 of the Public Laws may use such license in the manner provided by law, and shall be deemed to be properly licensed to operate a motor vehicle, for such period. All licenses to operate motor vehicles issued during the period from January first to March thirty-first, inclusive, 1938, for said period shall expire at midnight on

March thirty-first, 1938. For such licenses the commissioner may issue 1937 licenses and a person who has been properly licensed for said period may use such licenses in the manner provided by law and shall be deemed to be properly licensed to operate motor vehicles for such period. No fee shall be charged for licenses issued for such period.

10. *Takes Effect.* This act shall take effect at midnight December thirty-first, 1937.

ALLAN M. WILSON,
WILLIAM M. COLE,
Conferees for the Senate.

DONALD W. SALTMARSH,
WALTER A. PILLSBURY,
JAMES W. PRIDHAM,
Conferees for the House.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 86, An act relating to daylight saving time.

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government.

House Bill No. 86, An act relating to caretakers on recreational areas, on state lands.

House Bill No. 118, An act relating to the open and closed season for taking fish in certain waters.

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 382, An act relative to the laying-out of highways.

House Bill No. 394, An act relating to lines of telegraph and other companies in highways.

House Bill No. 430, An act relating to institutions under the supervision of the bank commission.

House Bill No. 440, An act authorizing the Woodsville Fire District to issue notes or bonds in excess of its debt limitation.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct District in the town of Rye.

House Bill No. 449, An act relating to the compensation of the county treasurers.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 83, An act relating to deposits by state treasurer.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

HAVEN DOE,
For the Committee.

On motion of Senator Cole, the following resolution was adopted:

Resolved, That until otherwise ordered the Senate will meet at 11 o'clock in the forenoon and at 2 o'clock in the afternoon.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Towns and Counties:

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

Senator Eames under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 105, An act relating to observance of the Lord's Day.

Senator Blood under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 106, An act relating to municipal water works.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at one o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, MAY 13, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Moran was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 102, An act relating to suspension of motor vehicle licenses.

House Bill No. 461, An act to name a highway from Winchester to Rindge.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Finance:

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

To the Committee on Revision of Laws:

House Bill No. 102, An act relating to suspension of motor vehicle licenses.

To the Committee on Public Improvements:

House Bill No. 461, An act to name a highway from Winchester to Rindge.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 451, An act authorizing the Town of Stewartstown to issue refunding bonds, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Authority.* The Town of Stewartstown is hereby authorized to issue its serial notes or bonds to an amount not exceeding eighty thousand dollars ($80,000.) for the purpose of paying outstanding notes and indebtedness of the town. Said serial notes or bonds shall be signed by the selectmen, or a majority thereof, and countersigned by the treasurer.

2. *Terms.* Said issue of notes or bonds shall be due and payable at such times not more than twenty years from the date of issue and in such amounts and in such manner as the board of selectmen and treasurer of said town shall determine and at a rate of interest to be fixed by said board.

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Stewartstown on March 9, 1937, and the proceedings of the special town meeting held in said town on May 11, 1937, so far as they relate to the appropriations for the purposes set forth in section 1 and the issuance of notes or bonds in pursuance thereof are hereby legalized, ratified and confirmed, and made as effective as if such proceedings were taken after the passage of this act.

4. *Application of General Law.* Except as otherwise provided in this act, the provisions of chapter 59 of the Public Laws shall apply to the said notes or bonds hereby authorized.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 78, Joint resolution in favor of the Town of Holderness, having considered the same, report the same with the following amend-

ment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting in the tenth line, after the word "be" the following: in full settlement of said claim and; so that said joint resolution as amended will read:

That the sum of one thousand and fourteen dollars ($1,014) be and hereby is appropriated to reimburse the Town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state aid road in Holderness June 22, 1933. Said sum shall be in full settlement of said claim and a charge upon the highway funds.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the word "Waterville" in the tenth line and substituting therefor the following: Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the Town of Thornton, to be expended as follows: four hundred dollars($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth; said sums herein appropriated shall be a charge upon the highway funds; so that said joint resolution as amended will read:

That the sum of twenty-four hundred eighty dollars ($2480.00) be and the same is hereby appropriated to Plymouth Guaranty Savings Bank, in trust nevertheless for the purpose of investing and reinvesting the same and paying

weekly from said principal sum and the interest accumulated thereon six dollars ($6.00) to Minnie Dolloff and four dollars ($4.00) to Donna Dolloff, her daughter, both of Thornton; the appropriation hereby granted be a settlement in full for the death of Edwin Dolloff of the Town of Thornton who died as a result of an accident while building a state aid road in the Town of Waterville. Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the Town of Thornton, to be expended as follows; four hundred dollars ($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth. Said sums herein appropriated shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of thirty-two dollars ($32.00) be and hereby is appropriated to compensate Herbert Downing of the town of Thornton for accidental injuries suffered while building a state aid road in the town of Waterville, provided the sum of six dollars and forty cents ($6.40) is paid by the town of Waterville. An additional sum of eleven dollars and sixty-seven cents ($11.67) is likewise appropriated to be paid to Dr. H. A. Cheney of Campton, said bill having been contracted by said Herbert Downing in said accident, provided the sum of two dollars and thirty-three cents ($2.33) is paid by the town of Waterville. Said sums hereinbefore appropriated shall be in full settlement of claim

by said Herbert Downing for injuries received in said accident and shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 281, An act to create a State Board of Accountancy, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the last two lines thereof and inserting in place thereof the following: "Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum" so that said section as amended shall read as follows:

2. *Board of Accountancy.* There is hereby created a board of accountancy to consist of three members to be appointed by the Governor with the advice and consent of the Council, all of whom shall be holders of certificates issued under the provisions of this chapter or under the provisions of chapter 127 of the Laws of 1921 heretofore known as chapter 270 of the Public Laws. Members of the Board must have held certificates as Certified Public Accountants from the State of New Hampshire for a period of at least five years immediately preceding their appointment.

At least two members of the Board shall be actively engaged in the practice of public accounting at the time of their appointment.

Those first appointed shall hold office, one for one year, one for two years, and one for three years and until their successors are appointed and qualified, the term of each to be designated by the Governor and Council in each appointment. Their successors shall be appointed for terms of

three years and until their successors are appointed and qualified. No person shall be appointed to serve more than two consecutive terms. Vacancies occurring in the board may be filled by the Governor with the advice and consent of the Council by appointment for the unexpired term. The Governor may, with the advice and consent of the Council, after hearing, remove any member of the board for neglect of duty or other just cause. The board shall organize by the election of a chairman and a secretary-treasurer and may make all rules and regulations necessary to carry into effect the purposes of this act. A majority of members acting as a board shall constitute a quorum for the transaction of business. The board shall have a seal which shall be judicially noticed. The board shall keep a record of all the proceedings and actions by and before the board, and in any proceeding in a court a certificate under the seal of the board shall be *prima facie* evidence of any proceeding or action by or before the board stated in said certificate. Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum.

Further amend the bill by striking out in line 2, section 9 the words, "six months," and inserting in place thereof the words, "one month," so that said section as amended shall read as follows:

9. *Neglect.* The name of any Certified Public Accountant who fails to register within one month of the annual date of his admission to practice in this state shall be dropped from the records of the board and his certificate, as a certified public accountant, shall be forfeited, provided, however, that the board of accountancy may have the power to re-instate said certificate upon receipt of application and due consideration of the circumstances in connection with the case.

The report was accepted, and amendment adopted.

Senator Hamlin offered the following amendment.

Amend said bill by striking out the words, "No person shall be appointed to serve more than two consecutive terms" in lines 28 and 29 therof.

(Discussion ensued)

The question being stated,

Shall the amendment be adopted?

Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Stafford, Hamlin, Freeman, Hanson, Mahoney and Cole.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Simpson, Guyer, Randall, Heald, Burque, Eastman, Blood, Wilson, Daniel, Doe, Calef, Conner and Allen.

Six Senators having voted in the affirmative and sixteen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

The bill was then ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 380, An act to assure an adequate supply of proper milk.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILL

Senator Wilson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second

time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 107, An act relating to Public Welfare.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed.

House Bill No. 281, An act to create a State Board of Accountancy.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

On motion of Senator Conner, the following resolution was adopted:

Resolved, that when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Wilson, the Senate adjourned.

FRIDAY, MAY 14, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 14, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MAY 17, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 17, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MAY 18, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled bill and joint resolution, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 29, An act relating to building and loan associations.

Amend section 1 of said bill by striking out the word "both" in the eighteenth line.

Amend section 2 of said bill by striking out the word "adjustment" in the seventh line and inserting in place thereof the word, distribution.

On motion of Senator Burque, the Senate voted to concur in the adoption of the amendments offered by the Committee on Engrossed Bills.

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

Amend said resolution so that it shall hereafter be known as House Bill No. 468, An act appropriating money to rehabilitate the highway fund.

Further amend by striking out the word "resolved" and inserting in place thereof the words, Be it enacted.

Further amend by striking out the last two sentences in the paragraph numbered 1 and inserting in place thereof the following:

The proceeds of the sale of such bonds and notes shall be paid into the general funds of the state to rehabilitate said funds for the expenditure provided for by section 1.

On motion of Senator Doe, the Senate voted to concur in the adoption of the amendments offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 55, An act authorizing towns and cities to adopt rural land-use zoning ordinances.

COMMITTEE REPORTS

Senator Calef for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 2, Joint resolution for the permanent improvement of the Crescent Lake Road, so called, in the Town of Unity, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Calef for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses, having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by adding in section 3 after the figure "1929" the following: and by chapter 76 of the Laws of 1937.

Further amend said bill by inserting after section 5 the following new section:

6. *Registration.* Amend paragraph VI of section 1 of

chapter 102 of the Public Laws by striking out the word "September" and inserting in place thereof the word December, and by striking out the word "December" and inserting in place thereof the word, March, so that said paragraph as amended shall read as follows:

VI. For every motor vehicle owned by a non-resident who applies for registration under the provisions of chapter 100, section 26, and for every motor vehicle during the period beginning December first and ending March thirty-first in any year, one half of the foregoing fees; provided, that if such motor vehicle owned by a non-resident of this state is used, or is intended to be used for hire, the commissioner shall collect the full fee according to the rated weight and class herein provided.

Further amend said bill by renumbering sections 6, 7, 8, 9 and 10 to read 7, 8, 9, 10 and 11, respectively.

The report was accepted.

On motion of Senator Wilson, the Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 91, An act changing the name of Pemigewasset Pond to Pemigewasset Lake.

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

HAVEN DOE,
For the Committee

INTRODUCTION OF BILLS

Senator Hamlin, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills, which were read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 108, An act legalizing certain town meetings held in the town of Boscawen.

Senate Bill No. 109, An act relative to the practice of optometry.

Senator Conner, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 110, An act relative to the powers of the school district of Hampton.

Senator Freeman, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, MAY 19, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following

entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 462, An act relating to bridges on trunk lines and state aid highways.

House Bill No. 125, An act relating to appraisal of taxable property.

House Joint Resolution No. 73 (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the State House.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 94, An act changing the name of Gorham Pond to Lake Gorham.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills and joint resolutions:

House Bill No. 281, An act to create a State Board of Accountancy.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

READ AND REFERRED

The following entitled bills and joint resolution were read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 125, An act relating to appraisal of taxable property.

To the Committee on Public Improvements:

House Bill No. 462, An act relating to bridges on trunk lines and state aid highways.

To the Committee on Finance:

House Joint Resolution No. 73 (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the State House.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom were referred:

House Bill No. 395, An act relative to clerk hire in the Probate Office of Hillsborough County.

House Bill No. 455, An act authorizing the Orford School District in the Town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the Secretary of State.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Eames for the Committee on Towns and Counties, to whom was referred Senate Bill No. 104, An act relating to the power of counties and towns to insure their property, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom were referred:

House Bill No. 234, An act relative to taking suckers.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 6, An act relating to taking of raccoon, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

1. *Open Season.* Amend section 3 of chapter 200 of the Public Laws, as inserted by section 4, chapter 124, Laws of 1935, by striking out the word "January" in the fourth line and inserting in place thereof the word, December, so that said section as amended shall read as follows: 3. *Raccoons.* Raccoons may be taken and possessed in all the counties of the state, with the aid or by the use of a dog and gun from October first to December first, and by the use of traps from November first to December 15th. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre long, nor a pistol or revolver larger than thirty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 455, An act authorizing the Orford School District in the town of Orford to issue notes or bonds for the remodeling of a school building.

Senate Bill No. 29, An act relating to building and loan associations.

House Bill No. 468, An act appropriating money to rehabilitate the highway fund.

LULA J. A. MORRIS,
For the Committee.

INTRODUCTION OF BILLS

Senator Wilson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 113, An act relative to temporary number plates for motorcycles.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

House Bill No. 6, An act relating to taking of raccoon.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

House Bill No. 234, An act relative to taking suckers.

House Bill No. 395, An act relative to clerk hire in the Probate Office of Hillsborough County.

House Bill No. 455, An act authorizing the Orford School District in the Town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations for not paying franchise fees to the Secretary of State.

On motion of Senator Hanson, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning it be to meet Friday morning at 9:00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Moran, the Senate adjourned.

FRIDAY, MAY 21, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 21, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MAY 24, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 24, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, MAY 25, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the

following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 471, An act changing the name of Long Pond to Lake Winnitaucook.

House Bill No. 317, An act relating to the charter of the city of Rochester.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

Amend section 11 by adding at the end thereof the following:

Except sections 3, 4 and 6, which shall take effect September 1, 1937.

On motion of Senator Wilson, the Senate voted to concur in the adoption of the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bill and joint resolution and asks for a Committee of Conference.

House Bill No. 6, An act relating to taking of raccoon.

The Speaker has appointed as members on the part of the House Mrs. Charois of Greenville, Messrs. Adams of Seabrook and Dubois of Swanzey.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference, and the President appointed as members of the Committee on the part of the Senate Senators Cole and Allen.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

The Speaker has appointed as members on the part of the House Messrs. Sanderson of Pittsfield, Estabrook of Newton and Magoon of Littleton.

On motion of Senator Blood, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference, and the President appointed as members on the part of the Senate Senators Blood and Calef.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Blood, the following resolution was adopted:

Resolved, that His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 468, An act appropriating money to rehabilitate the Highway Funds.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request His Excellency the Governor returned House Bill No. 468, An act appropriating money to rehabilitate the Highway Funds.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote in the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the Senate voted to recommit the bill to the Committee on Finance.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred to the Committee on Judiciary.

House Bill No. 471, An act changing the name of Long Pond to Lake Winnitaucook.

House Bill No. 317, An act relating to the Charter of the city of Rochester.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, having considered the same, reported the same with the following amendment and recommend that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out in the first and second lines the words and figures "five hundred and three dollars ($503)" and substituting in place thereof the words and figures, three hundred and ten dollars ($310);

Further amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the claim;

So that said joint resolution as amended will read:

That the sum of three hundred and ten dollars ($310) be and hereby is appropriated in favor of Peter Lajoie to reimburse him for expenses sustained by him as a result of accidental injury occasioned by alleged negligence of employees of the state highway department, while he was traveling along the state highway in the town of Colebrook on October 24, 1931. Said sum shall be a charge upon the highway funds, and shall be in full settlement of the claim.

The report was accepted, amendment adopted, and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 458, An act to repeal charters of certain corporations, having considered the same, reported the same under Joint Rule No. 6, with the

following amendment and recommend that the bill as amended ought to pass.

Amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the Secretary of State, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommend that the bill as amended ought to pass.

Amend said bill by striking out the letters "a" and "b" as numbering of the paragraphs and references thereto and inserting in place thereof the numbers I and II respectively.

Further amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

Further amend said section I by adding after the word "objects" in the last sentence of said section the words for which said corporations were organized.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendments.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 94, An act changing the name of Gorham Pond to Lake Gorham.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

House Bill No. 395, An act relative to clerk hire in the probate office of Hillsborough County.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing and others.

HAVEN DOE,
For the Committee.

MESSAGE FROM THE GOVERNOR

The General Court of New Hampshire:

I am transmitting to you today the text of a compact for the control of floods and for other purposes in the Merrimack River Valley which it is proposed shall be entered into by the Commonwealth of Massachusetts and the State of New Hampshire.

This compact was prepared by a committee representing the Interstate Compact Commission on Watersheds appointed almost a year ago by Governor H. Styles Bridges with the advice and consent of his Executive Council. It was submitted to me, together with a report by the committee summarizing the compact and the two flood control projects initially recommended.

From this report, a copy of which I am appending, it will be seen that under a plan, developed by the United States Engineers, for flood control in the Merrimack River basin, two reservoirs are proposed for construction, one at Franklin on the Pemigewasset River and one at Webster on the Blackwater River.

The total cost of these projects is estimated to be $7,511,000, of which the Federal Government will contribute $5,226,000, covering the cost of the dams and the appurte-

nant works. Of the balance, representing the cost of lands, easements and rights of way, Massachusetts and New Hampshire will each contribute 50 per cent. New Hampshire's share will approximate $1,142,500.

In addition to these capital costs, there will be maintenance and operating charges which it is estimated will cost the state about $24,000 annually, of which $10,000 will be expended tax reimbursement in towns affected.

This part of the general flood control program has for its objective the preventing of losses of life and property in the most populous and most highly industrialized section of the state where, only last year, appalling financial losses were sustained.

In addition to benefits of a strictly flood control character, it will be possible to derive from the operation of these storage basins certain economic advantages by way of water conservation. In return for substantial increases in power, users of the river water may be expected to contribute materially toward the costs of maintaining and operating the reservoirs. Advantages to health and to recreational development will also result from an improvement of existing conditions of pollution.

This compact is already before the legislature in Massachusetts and it is my recommendation that it be ratified by New Hampshire. Measures creating a Merrimack River Valley Flood Control Commission, granting the powers which will be necessary, and providing ways and means whereby the flood control programs in both the Merrimack and the Connecticut River Valleys may be financed, have already been placed in the hands of the Rules Committee of the House.

FRANCIS P. MURPHY,
Governor.

May 25, 1937.

April 12, 1937.

His Excellency Francis P. Murphy,
Governor of New Hampshire,
Concord, New Hampshire,

DEAR GOVERNOR MURPHY:

The Governor and Council, assembled in Executive Session on May 28, 1936, appointed as members of the Interstate Compact Commission on Watersheds the members of the Water Resources Board, Dr. Charles Duncan, James M. Langley, Thomas P. Cheney and Nelson Lee Smith, and named John Jacobson, Jr., James M. Langley and Thomas P. Cheney to act as executive committee for that group. The executive committee, with Mr. Dudley Orr, assistant Attorney-General, acting for and in the place of Mr. Thomas P. Cheney, Attorney-General, and Mr. Richard S. Holmgren, Chief Engineer of the Water Resources Board acting as engineering advisor, met with a like commission appointed by the Governor of the Commonwealth of Massachusetts, and have the honor to report that the negotiations resulted in a compact for the control of floods and other purposes on the Merrimack river, which compact is submitted herewith. The compact has the approval of the representatives of the two states and will be effective when ratified by the legislatures of New Hampshire and Massachusetts and approved by the Congress of the United States.

The National Flood Control act of 1936 established a policy for flood control projects in various sections of the United States, including the Merrimack river basin, to be prosecuted in the order of the necessity therefor through co-operation between the Federal Government and the states. Among other things, the act provides that the states will, (1) provide without cost to the United States all lands, easements, and rights of way necessary to the project, (2) hold and save the United States free from damages due to construction works, and (3) maintain and operate all works after completion in accordance with regulations prescribed by the Secretary of War. The Federal

Government will, as their share, provide funds for the construction of the dam and appurtenant works. The act expressly provides for and approves the making of compacts or agreements between states for the effective control of floods upon rivers and their tributaries which lie in two or more states. The plan adopted is a portion of the plan recommended by the U. S. Engineers, known as the "Initial plan for Flood Control on the Merrimack River", and contemplates the construction of reservoirs upon two of the main tributaries of the Merrimack river in the State of New Hampshire, to be constructed by the United States upon assurances being given by the states that they will furnish the necessary lands, easements, and rights of way necessary thereto, the cost to be shared in the proportions determined by the compact. The compact also provides for the establishment of a commission to maintain and operate the reservoirs, the costs of which shall also be contributed by the states.

There follows a summary of more important provisions of the compact:

The Administrative Provisions. The compact provides for the creation of the Merrimack River Valley Flood Control Commission, consisting of six commissioners, three to be chosen from each state. A majority of the members from each state constitute a quorum for the transaction of business, but no binding action may be taken unless at least two of the members from each state vote therefor. The lands, easements and rights of way necessary for the reservoirs are to be acquired by the State of New Hampshire at the request and expense of the Commission. The Commission as a body corporate and politic has power to take leases of the reservoirs and to receive from the states the funds necessary for the acquisition of lands, easements and rights of way and for the maintenance and operation of the reservoirs, including the tax reimbursements to the affected towns.

The Commission may make such studies as it may deem

necessary, in co-operation with the War Department, for the development of a comprehensive plan of flood control in the Merrimack river basin, and from time to time report its findings and recommendations to the governors of the signatory states, but no additionad reservoirs are to be constructed until they have received the approval of the legislature of the state in which such reservoirs are located.

The Commission shall annually report to the governor of each of the signatory states, setting forth in detail the operations and transactions conducted by it pursuant to the compact and any legislation thereunder.

The Flood Control Plan. The compact provides for the establishment in the Merrimack basin of an "Initial Plan for Flood Control" to consist of two reservoirs, one at Franklin on the Pemigewasset river and one at Webster on the Blackwater river. These reservoirs will control approximateely 22.5% of the total drainage basin, 29% of the basin at Nashua, 39% at Manchester and 47% at Concord. The reservoir at Webster on the Blackwater, at the option of the state, may be further developed for conservation or power purposes, on payment of the added cost of construction of the higher dam as well as the payment of additional land costs. The compact provides that, at the option of the state, the dam at this site shall be so designed and constructed as to provide for further development at some future time. The Franklin reservoir is designed primarily for flood control but will be so constructed as to permit the retaining of 50% of the capacity during the periods of low flood expectancy for conservation or recreational purposes at the option of the state. The reservoirs and appurtenant structures are to be tax exempt, being owned by the state, but the towns will be reimbursed annually for losses in taxes on the basis of the assessed value on the lands in 1936.

The Cost of Flood Control. The cost of lands, easements and rights of way necessary for the two reservoirs to be

constructed under the compact is estimated at less than $2,285,000, a large item of which is the expense of relocating highways and transmission lines. This cost is to be contributed by the two states in proportions as follows:

The Commonwealth of Massachusetts	50%
The State of New Hampshire	50%

New Hampshire's share of the above cost will be not more than $1,142,500. The total cost of the two reservoirs is estimated to be $7,511,000, and will require three to four years to complete.

The expense of maintaining and operating the reservoirs is to be contributed by the states in like proportion. It is estimated that the annual cost to New Hampshire will not exceed $24,000 of which $10,000 will be in the form of reimbursement of taxes to the towns affected.

Benefits to New Hampshire of Flood Control. The United States Engineers, to determine the frequency and severity of floods, have examined all available data since the year 1852 as it relates to the Merrimack river basin. Careful studies have been made both in the field and in the office covering stream flow, precipitation, snowfall and run-off. The available data on the floods of 1927 and 1936 has been particularly valuable on which to base their estimates of damages and benefits. It is therefore reasonable to assume that their estimates are as near to accuracy as any estimate can be. They indicate that the actual reported losses in the controllable area below the proposed reservoirs in the 1936 flood were $21,134,669. Added to this should be a conservative estimate of unreported losses, which increase the above figure to nearly $29,000,000. This figure is the result of a careful damage census of the entire overflowed area, and through the co-operation of federal, state and civic organizations. During the 1936 flood the per capita damage in New Hampshire was $21.90, or 0.81% of the textile wealth. In Massachusetts the estimated damage was $6.25 per capita or 0.115% of the taxable wealth.

Estimates have been made to determine what the losses would be during floods of varying stages and frequencies, in order to determine the average annual expectancy of damages and benefits. These studies indicate that the construction of the reservoirs embodied in the compact will afford an average annual saving of approximately $700,000 of which $426,000 would inure to the benefit of the State of New Hampshire.

The District office of the U. S. Engineers recommends the use of a portion of the two reservoirs, during a period of low flood expectancy, for conservation purposes. If this method of operation is approved by the Secretary of War there will be afforded the industries located on the Merrimack river a substantial increase in power output, for which they will be expected to contribute to the state. This method of operation will also serve to aid in the solution of the existing pollution problem.

In our judgment, this compact offers the best solution to the problem of flood control on the Merrimack river possible at this time. The reservoirs selected afford the greatest protection to New Hampshire citizens, with the lowest cost per acre foot of storage. We feel that the interests of the state in the matter of conservation have been amply safeguarded, and that the projects selected are economically justified from every angle.

Respectfully submitted,

JOHN JACOBSON, JR.,
DUDLEY ORR,
JAMES M. LANGLEY.

The compact itself is to be printed separate from the Journal.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Doe, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled joint resolution was read a third time and passed.

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, MAY 26, 1937

The Senate met according to adjournment.

Senator Doe in Chair.

HOUSE MESSAGGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 281, An act to create a State Board of Accountancy.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *New Chapter.* Amend chapter 270 of the Public Laws by striking out all of said chapter and inserting in place thereof the following:

CHAPTER 270

PUBLIC ACCOUNTANCY

Amend the paragraph entitled "definition" by adding at the end thereof the words: or who, at the time of the passage of this chapter, was legally registered as a public accountant.

Amend the paragraph numbered 6 by striking out the words "any such" in the third line and inserting in place thereof the word, the; and by striking out the words "issued under this act" in the thirteenth and fourteenth lines.

Amend the paragraph numbered 5 by striking out in the first line the words "in this act" and inserting in place thereof the word, herein.

Amend the paragraphs numbered 3 and 5 by striking out the word "act" where it occurs therein and inserting in place thereof the word, chapter.

Amend the paragraph numbered 8 by striking out the first sentence thereof and inserting in place thereof the following new sentences:

All such certified public accountants shall practice in this state for one year after admission thereto. Annually, each certified public accountant shall register at the office of the board of accountancy giving his then residence and place of business and such other information as the board may require. The annual fee for such registration shall be five dollars, to be paid to said board. Said board shall thereupon file a duplicate of the registration in the office of the secretary of state. Said accountant shall be entitled to a certificate from said board setting forth the fact of the annual registration, payment of the fee and recording thereof.

Amend the paragraphs numbered 10 and 11 by striking out the words, where they occur therein, "punished by a fine not to exceed" and inserting in place thereof the words, fined not exceeding; further amend said paragraphs by

striking out the words "by imprisonment" and inserting in place thereof the words, be imprisoned.

On motion of Senator Morris the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance to whom were referred

House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay.

House Joint Resolution No. 132, Joint resolution in favor of the Town of Stewartstown,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 111, An act relating to incorporation of insurance companies, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on the Judiciary, to whom were referred

Senate Bill No. 105, An act relating to observance of the Lord's Day,

House Bill No. 327, An act to regulate industrial homework,

Having considered the same, report the same with the following resolution:

Resolved, That they are inexpedient to legislate.

The reports were accepted and recommendations of the Committee adopted.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 78 (in new draft), An act relating to alimony, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 102, An act relating to suspension of motor vehicle licenses, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 121, An act relating to sending of presidential check-lists to State Library, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole of said section and substituting therefor the following:

1. Amend section 28 of chapter 10 of the Public Laws by striking out the words "on or before January first, succeeding" and inserting in place thereof "within seventy-two hours of the closing of the polls for" so that the section as amended shall read as follows:

28. *Check-lists.* Supervisors of towns and corresponding officers of cities shall, within seventy-two hours of the closing of the polls for each presidential election hereafter,

send to the state library the check-list used in said election, certified by said officers.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 324, An act relating to payment of wages, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole of said section and substituting therefor the following:

SECT. 1. Amend Chapter 176 of the Public Laws by adding after section 28-a a new section numbered 28-b as follows:

28-b. Employees who are separated from pay roll before pay days. (a) *Discharged Employees.* Whenever an employer separates an employee from the pay roll the unpaid wages or compensation of such employees shall become due immediately upon demand by the employee of the employer or his paymaster, and the employer shall pay such wages to the employee within 72 hours of the time of such demand, except where such employees are working at other than the principal place of business, then such employee shall receive the wages due on the next regular payroll date. In case of any failure to pay wages due an employee as thus provided, the wages of such employee shall continue for the period of one week from the date of separation at the same rate which said employee received at the time of separation. The employee may recover the penalty thus accruing to him in a civil action. Said action must be commenced within 60 days from the date of separation; provided, however, that any employee who secretes or absents himself to avoid payment to him or who refuses to receive payment when tendered shall not be entitled to any penalty under this paragraph for such time as he avoids payment.

(b) *Employees Quitting.* Whenever an employee (not having a written contract for a definite period) quits or resigns his employment, the wages or compensation earned shall become due and payable not later than the next regular pay day.

(c) *Industrial Disputes.* In the event of the suspension of work as the result of an industrial dispute, the wages and compensation earned and unpaid at the time of said suspension shall become due and payable at the next regular pay day, as provided in Section 25 of this act, including, without abatement or reduction, all amounts due all persons whose work has been suspended as a result of such industrial dispute, together with any deposit or other guaranty held by the employer for the faithful performance of the duties of the employment.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

BILL RECALLED FROM COMMITTEE

On motion of Senator Cole, the following resolution was adopted:

Resolved, that the Committee on Revision of Laws be requested to return to the Senate, Senate Bill No. 103, An act relative to bathing in Lake Massabesic.

On motion of the same Senator, the Senate voted to lay the above entitled bill on the table.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 78 (in new draft), An act relating to alimony.

House Joint Resolution No. 87, Joint resolution appropriating funds for the purposes of dredging a channel at Alton Bay.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

Senate Bill No. 11, An act relating to incorporation of insurance companies.

House Bill No. 121, An act relating to sending of presidential check-lists to State Library.

House Bill No. 324, An act relating to payment of wages.

RECONSIDERATION

Senator Eames moved that the rules be so far suspended as to allow the reconsideration of the vote on Senate Bill No. 105, An act relating to observance of the Lord's Day.

On a *viva voce* vote the affirmative prevailed and the Senate reconsidered.

On motion of Senator Eames, the Senate voted to reconsider the vote whereby the bill was voted inexpedient to legislate.

On motion of the same Senator, the Senate voted to recommit the foregoing bill to the Committee on Judiciary.

On motion of Senator Randall, the Senate adjourned.

THURSDAY, MAY 27, 1937.

The Senate met according to adjournment.

Senator Wilson in Chair.

LEAVES OF ABSENCE

Senators Eames, Randall and Mahoney were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

House Bill No. 184, An act to regulate the keeping of live wild animals.

House Bill No. 167 (In new draft), An act relating to the taking of fish.

House Bill No. 432, An act to establish a water control commission.

House Bill No. 448 (In new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bills, with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 85, An act is relation to the operation of certain boats.

Amend the bill by changing the title thereof to read as follows: "An act in relation to the operation of certain boats."

Further amend said bill by striking out all after the enacting clause and substituting therefor the following:

"1. Amend chapter 378 of the Public Laws by inserting after section 26 thereof the following new section: 26-a. *Operation of Boats.* It shall be unlawful for any person, while under the influence of intoxicating liquor or any narcotic or habit producing drug, to operate upon any of the waters of this state any boat propelled by electric, naptha, gasoline, steam or other mechanical power, or to operate such boat recklessly or so that the lives or safety of the public might be endangered. Any person convicted of a violation of the foregoing prohibition shall not operate any boat as defined above upon the waters of this state for a period of one year from the date of such conviction. A person convicted of any violation of this section shall be fined not more than one hundred dollars, or imprisoned not more than six months or both.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Senator Doe, the Senate voted to concur in the amendment sent up from the House of Representatives.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Amend section 1 of said bill by inserting after the word "boats" in the sixth line the words "rafts and floats" and after the word "operated" in the seventh line the words "or used", and after the word "boats" in the ninth line the words "rafts and floats", so that said section as amended shall read:

"1. *"Public Service Commission.* Amend section 11 of chapter 151 of the Public Laws by striking out the same and inserting in place thereof the following: 11. *Regulation of Boats.* In the interest of public safety the Public Service Commission may from time to time make rules and regulations relative to equipment and operation of all boats, rafts and floats of whatever kind, type or character operated or used on any public waters in this state. Such rules

and regulations shall be binding on the persons owning, leasing or operating such boats, rafts and floats."

On motion of Senator Doe, the Senate voted to concur in the amendments sent up from the House of Representatives.

Senate Bill No. 78, An act establishing the New Hampshire Water Resources Board.

Amend section 2 by striking out the whole of said section and inserting in place thereof the following:

2. *Projects Defined.* Amend paragraph III of section 2 of said Chapter 121 by striking out said paragraph and by substituting therefor the following:

III. The word "project" shall be deemed to include all property rights, easements and franchises relating thereto and deemed necessary or convenient for its operation, and shall embrace all means of accomplishing the purposes set forth in Section 1 hereof, including, without limiting the generality of the foregoing, reservoirs, dams, diversion and distribution canals, lateral ditches, pumping units, mains, pipe lines and water-works systems.

Further amend said bill by making section 10, section 11, and by inserting a new section 10 as follows:

10. *Water Regulating Committees, Duties.* Amend section 11 of Chapter 121 of the Laws of 1935 by striking out the whole thereof and by substituting therefor the following:

11. *Water Regulating Committees.* Said board shall appoint a committee or committees of such number as it may determine to regulate and direct the storage and release of water from each reservoir in such manner and at such times as shall be most beneficial for regulating the flow of rivers and streams to lessen damages resulting from floods or for supplying water to any political subdivision of the State for public or domestic use (provided that any such subdivision shall be required to pay to said board a fair and reasonable compensation as determined by said board for

water so supplied) and subject thereto in accordance with the provisions of contracts entered into pursuant to Section 7 hereof. The committee shall not interfere with or obstruct the flow of stored water released from any present or future water storage or conservation reservoir located upstream from said project. The members of such committees shall continue as such during the pleasure of the board, which shall promptly make new appointments whenever a vacancy occurs from any cause.

On motion of Senator Cole, the Senate voted to concur in the amendment sent up from the House of Representatives.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the Secretary of State.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment sent down from the Senate to House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, and asks for a Committee of Conference. The Speaker has appointed as members of such committee on the part of the House Messrs. Hart of Wolfeboro, Baker of Concord, and Ramsey of Berlin.

On motion of Senator Conner, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference, and the President appointed as members of such committee on the part of the Senate Senators Conner and Kelley.

READ AND REFERRED

The following entitled bills and joint resolution sent up by the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough,

To the Committee on Fisheries and Game:

House Bill No. 184, An act to regulate the keeping of live wild animals.

House Bill No. 167 (in new draft), An act relating to the taking of fish.

To the Committee on Judiciary:

House Bill No. 432, An act to establish a water control commission.

House Bill No. 448 (in new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words and figures "two thousand dollars ($2,000)" in the first line of said joint resolution, and substituting in place thereof the words and figures, five hundred dollars ($500.); and by adding at the end thereof the following, and shall be in full settlement of said claim; so that said joint resolution, as amended, shall read as follows:

That the sum of five hundred dollars ($500.) be and hereby is appropriated to pay Paul E. Bourque of Manchester, County of Hillsborough, State of New Hampshire, for personal injuries sustained while on duty in the National Guard of this state on or about September 1st, 1934,

and said sum shall be paid out from funds in the state treasury not otherwise appropriated, and shall be in full settlement of said claim.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 438, An act to increase the salary of solicitor of Cheshire County, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 59, An act relating to permits for entries to private cemeteries, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Temporary Right of Way to Private Graveyard Enclosures.* Any person wishing to have a temporary right of entry over private land in order to enter a private graveyard enclosure to which there is no public right of way may apply in writing to the selectmen of a town or the mayor of a city stating the reason for such request and the period of time for which such right is to be exercised. Said applicant shall also notify in writing the owner or occupier of the land over which the right of way is desired. The selectmen or mayor may, in their or his discretion, issue a permit for such temporary right of entry designating the particular place where said land may be crossed. The owner or occupier of said land may recommend said place of crossing which, if reasonable, shall be the place so designated by the selectmen or mayor.

2. *Private Graveyard.* Amend section 19 of chapter

380 of the Public Laws by striking out said section and inserting in place thereof the following: 19. *Trespassing Stock.* If any stock, through the fault or negligence of the owner, is found trespassing upon any public burial place or upon any private graveyard protected by fencing, the owner shall be fined not more than twenty dollars, for the use of the town in which such place is situated.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred Senate Bill No. 109, An act relative to the practice of optometry, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Amendment.* Amend section 13 of said chapter 207 by striking out said section and inserting in place thereof the following: 13. *Persons excepted.* Nothing in this chapter shall apply to physicians or surgeons authorized to practice medicine or surgery under the laws of this state, nor to persons who neither practice nor profess to practice optometry, but who as a business make or fabricate spectacles, eyeglasses, lenses, frames, or duplicates of any part thereof on prescription from such physicians or surgeons or from duly qualified optometrists. Any person filling a prescription as hereinbefore provided shall make delivery of the device for the improvement of vision prescribed only through the person making the prescription or his duly authorized agent.

Further amend said bill by inserting after section 3 the following new section:

4. *Prohibitions.* Amend section 28 of said chapter 207 by adding at the end thereof the following: It shall be un-

lawful for any person to sell spectacles, eyeglasses, lenses, frames, or duplicates of any part thereof, except on prescription from physicians or surgeons authorized to practice medicine or surgery or from duly qualified optometrists, so that said section as amended shall read as follows: 28. *Prohibitions.* It shall be unlawful for any person not a holder of such a certificate, duly issued to him and recorded as herein provided, to practice optometry within this state, or to falsely personate a registered optometrist of a like or different name, or to buy, sell or fraudulently obtain a certificate issued to another, or for any one holding such a certificate to administer drugs in any form, or to practice or claim to practice medicine or surgery in any sense, or to use any title or appellation intended or calculated to indicate the practice of medicine or surgery. It shall be unlawful for any person to sell spectacles, eyeglasses, lenses, frames, or duplicates of any part thereof, except on prescription from physicians or surgeons authorized to practice medicine or surgery, or from duly qualified optometrists.

Further amend said bill by renumbering section 4 to read section 5.

The report was accepted.

On motion of Senator Doe, the bill with the accompanying report was laid on the table and made a special order for Wednesday, June 2nd, at 11:01 o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred

Senate Bill No. 108, An act legalizing certain town meetings held in the Town of Boscawen,

Senate Bill No. 113, An act relative to temporary number plates for motorcycles,

House Bill No. 125 (new draft), An act relating to appraisal of taxable property,

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Military Affairs, to whom was referred, Senate Joint Resolution No. 7, Joint resolution in favor of the Veterans of Foreign Wars, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution was referred to the Committee on Finance under the rules.

Senator Calef for the Committee on Public Improvements, to whom was referred House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

INTRODUCTION OF BILLS

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Senator Heald under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for aged women.

PETITION PRESENTED AND REFERRED

Senator Moran presented a petition of 12,000 names opposed to the opening of the front pond of Lake Massabesic

for bathing with the request that they be filed with the Clerk to be laid on the table with Senate Bill No. 103.

BILL RECALLED FROM GOVERNOR

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 78 (in new draft), An act relating to alimony.

BILL RETURNED FROM GOVERNOR

Pursuant to the above request, His Excellency the Governor returned the above entitled bill.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Revision of Laws.

BILLS RECALLED FROM COMMITTEE

On motion of Senator Heald, the following entitled bills were recalled from the Committee on Judiciary.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women.

On motion of the same Senator, printing and reference to Committee were dispensed with and the above entitled bills were read a third time and passed at the present time.

On motion of Senator Blood, the following resolution was adopted:

Resolved, That the rules be suspended and all business

in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

House Bill No. 59, An act relating to permits for entries to private cemeteries.

Senate Bill No. 108, An act legalizing certain town meetings held in the Town of Boscawen.

Senate Bill No. 113, An act relative to temporary number plates for motorcycles.

House Bill No. 125 (in new draft), An act relating to appraisal of taxable property.

On motion of Senator Burque, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, MAY 28, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 28, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, MAY 31, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., May 31, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JUNE 1, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Hamlin was granted leave of absence for the day on account of death in the family.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with

the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 121, An act relating to sending of presidential check-lists to State Library.

The message further stated that the House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 137, Joint resolution in favor of Mrs. William J. Elson.

The message further stated that the House of Representatives has refused to concur in the amendments sent down from the Honorable Senate to House Bill No. 324, An act relating to payment of wages, and asks for a Committee of Conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Smith of Haverhill, Dickinson of Danville and Lageux of Somersworth.

On motion of Senator Doe, the Senate voted to accede to the request of the House and the President appointed as members on such committee on the part of the House Senators Hamlin and Blood.

READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Claims:

House Joint Resolution No. 137, Joint resolution in favor of Mrs. William J. Elson.

On motion of Senator Doe, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled joint resolution was read a third time and passed.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 4, An act relating to the appointment of an Assistant Attorney General in charge of criminal prosecutions, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

On motion of Senator Daniel, the Senate voted to recommit the bill to the Committee on Finance.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 73, Joint resolution for the installation of automatic sprinkler fire protection at the State House, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel bridges, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Acquisition Authorized.* The governor and council are hereby authorized and empowered to acquire for the state, either by purchase or by eminent domain proceedings, real estate adjacent to the approaches of the General John Sullivan Memorial and the Alexander Scammel bridges necessary or suitable for park and recreational areas, as shown on plans filed in the office of the secretary of state entitled (1) Plan showing park areas at approaches to Gen. John Sullivan Bridge, and (2) Plan showing park area at westerly end of Alexander Scammel bridge, said land being

situated in the city of Dover and the towns of Newington, Madbury and Durham.

Amend section 4 of said bill by striking out the words and figures "thirty-five thousand dollars ($35,000)" and inserting in place thereof the words and figures, forty thousand dollars ($40,000) so that said section as amended shall read as follows:

4. *Appropriation.* There is hereby appropriated a sum not exceeding forty thousand dollars ($40,000) for the purpose of acquiring and establishing said park and recreational areas and in addition the revenues accruing from the park and recreational areas shall be available for the use of the commission in maintaining and administering the areas. Any net income accruing from the operation of the areas shall be used for the payment of the principal or interest upon the bonds hereinafter authorized. It is the intent and purpose of this act that the cost of establishing and maintaining the said park and recreational areas shall be paid exclusively from the proceeds of the bonds hereby authorized, from tolls accruing from the operation of the said bridges and from charges for the use of said areas.

Amend section 5 of said bill by striking out the words and figures "thirty-five thousand dollars ($35,000)" and inserting in place thereof the words and figures, forty thousand dollars ($40,000) so that said section as amended shall read as follows:

5. *Bonds Authorized.* The state treasurer is hereby authorized, under direction of the governor and council, to borrow upon the credit of the state not exceeding forty thousand dollars ($40,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years

from the date of issue and all bonds shall be callable at any time after twelve years. Such bonds and notes shall contain an express guarantee which shall be deemed a contract on the part of the state, that toll will be collected for the use of the said General John Sullivan and Alexander Scammel bridges, in accordance with the provisions of chapter 64, Laws of 1933, until the date of maturity of said bonds and notes or until sufficient money shall have accumulated to pay said notes and bonds and the interest thereon at the dates of maturity, shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. None of the tolls from the operation of the said bridges shall be available for the payment of the principal and interest on the bonds hereby authorized until after all the bonds issued previous to the date of this act in accordance with chapter 64, Laws of 1933, have been paid. When such previously issued bonds have been paid, then the tolls from the operation of the bridges shall be applied to the payment of the principal and interest on the bonds hereby authorized. In the event that the net income from the operation of the park and recreational areas shall not be sufficient to pay the interest on the bonds hereby authorized, such interest shall be paid from the highway funds, but when all the bonds issued pursuant to chapter 64, Laws of 1933, prior to the passage of this act have been retired, the highway fund shall be reimbursed the amount of interest paid by it in accordance with the provisions of this act.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Public Improvements to whom were referred House Bill No. 461, An act to name the highway between Winchester and Rindge and

House Bill No. 462, An act relating to bridges on trunk lines and state aided highways, having consider the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Allen for the Committee on Liquor Laws to whom was referred House Bill No. 411, An act providing for special grill room licenses to first class hotels, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 1 and substituting therefor the following:

1. *First Class Licenses.* Amend chapter 3 of the Laws of the Special Session of 1934 by inserting after section 20 the following new section: 20-a. *Special Grill Room Licenses.* The commission may issue a special grill room license to any first class hotel which has qualified as such under the provisions of section 19 hereof, as amended by chapter 151 of the Laws of 1935, which special license shall entitle the licensee to serve liquor or beverages to guests in a grill room upon the payment of an additional license fee of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) per year, the amount of the fee to be fixed by the commission. The commission shall have authority to grant, regulate, suspend, or revoke said special licenses without affecting any other licenses that may have been granted to said hotel for the sale of liquor or beverages. No such grill room shall have a door or entrance of any kind leading directly to or from any street, public way, or the outside of said hotel.

The report was accepted, amendment adopted.

The bill being on the second reading and open to further amendment.

Senator Blood moved that the following resolution be adopted.

Amend section 1 of the bill by inserting in the tenth line,

after the word "guests" the words, of the hotel; so that said section as amended will read as follows:

1. *First Class Licenses.* Amend chapter 3 of the Laws of the Special Session of 1934 by inserting after section 20 the following new section: 20-a. *Special Grill Room Licenses.* The commission may issue a special grill room license to any first class hotel which has qualified as such under the provisions of section 19 hereof, as amended by chapter 151 of the Laws of 1935, which special license shall entitle the licensee to serve liquor or beverages to guests of the hotel in a grill room upon the payment of an additional license fee of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) per year, the amount of the fee to be fixed by the commission. The commission shall have authority to grant, regulate, suspend, or revoke said special licenses without affecting any other licenses that may have been granted to said hotel for the sale of liquor or beverages. No such grill room shall have a door or entrance of any kind leading directly to or from any street, public way, or the outside of said hotel.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed, the amendment was adopted and the bill as amended was ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 78, An act in amendment of chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend the title of said bill by striking out the words and figures "in amendment of chapter 121, Laws of 1935, establishing" and inserting in place thereof the word, relative.

Amend section 1 of said bill by inserting at the end of the fourteenth line the words, as follows.

Amend section 5 of said bill by striking out the figure "7-a" in the third line.

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in the Senate amendments.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 438, An act to increase the salary of solicitor of Cheshire County, having considered the same, report the same under joint rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the figure "1931" in the third line the words and figures: and chapter 11 of the Laws of 1937.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

House Bill No. 234, An act relative to taking af suckers.

House Bill No. 281, An act to create a state board of accountancy.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state.

House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

HAVEN DOE,
For the Committee.

The President declared a recess.

(Recess)

The Senate reassembled.

On motion of Senator Blood, the Senate voted to reconsider the vote whereby House Bill No. 411, An act providing for special grill room licenses to first class hotels was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Liquor Laws.

On motion of Senator Doe, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Calef, the following resolution was adopted :

Resolved, That the President appoint a committee to investigate the affairs of the Industrial School at Manchester, such investigation to include without limiting the generality of the foregoing its financial and bookkeeping management, its management and methods relating to care, custody, education and welfare of its inmates and its physical condition and structure. Said committee shall have power to hold and conduct hearings, summon witnesses, administer oaths, employ such accountants and other professional assistance as it may deem necessary and shall have access to all the books, papers, accounts and property of such institution. For the purpose of such investigation said committee may expend a sum not to exceed two thousand dollars.

Pursuant to the above resolution the President appointed

as members of such committee Senators Wilson, Calef, Freeman, Hanson, Hamlin and Moran.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed.

House Bill No. 462, An act relating to bridges on trunk lines and state aided highways.

House Bill No. 461, An act to name the highway between Winchester and Rindge.

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges.

House Joint Resolution No. 73, (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the State House.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, JUNE 2, 1937.

The Senate met according to adjournment.

Senator Calef in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 52 (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

House Bill No. 353 (in new draft), An act relating to fly fishing.

House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds.

House Bill No. 161, An act creating a retirement system.

House Bill No. 402 (in new draft), An act creating a probation department.

House Bill No. 404 (in new draft) An act relating to neglected and delinquent children.

The message further stated that the House of Representatives had voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 59, An act relating to permits for entries to private cemeteries.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary,

House Bill No. 402 (in new draft), An act creating a probation department,

House Bill No. 404 (in new draft), An act relating to neglected and delinquent children,

House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds.

To the Committee on Public Health,

House Bill No. 52 (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing,

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

To the Committee on Education,

House Bill No. 161, An act creating a retirement system.

To the Committee on Fisheries and Game,

House Bill No. 353 (in new draft), An act relating to fly fishing.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 100, An act relating to control of navigation at Hampton Harbor, the Inlet, so-called, and Hampton River, having considered the same, reported the same with the following amendment tnd recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole thereof and substituting therefor the following:

1. *Hampton Harbor.* Amend chapter 152 of the Public Laws by inserting after section 12 the following new subdivision and sections.

12-a. *Harbor-Master; Navigation at Hampton Harbor and River.* The Governor with the advice and consent of the Council shall appoint a harbor-master for Hampton Harbor, the Inlet thereto and Hampton River, and fix his compensation. Said harbor-master shall serve during the pleasure of the Governor and Council and until his successor is appointed and qualified. His compensation shall be paid by the towns of Hampton, Seabrook and Hampton Falls in such proportion and at such times as the Governor and Council shall determine.

12-b. *Duties of Harbor-Master.* It shall be the duty of said harbor-master to oversee Hampton Harbor, the Inlet thereto and Hampton River, to preserve and regulate navigation within said harbor, inlet and river, to examine moorings, to require the same to be kept in safe condition and to inquire into and prosecute for all offenses under sec-

tion 12-h hereof. For the purposes hereof said harbor-master may make such rules and regulations as he shall think proper.

12-c. *Anchoring of Vessels.* The master of a vessel within the harbor, Inlet or River shall anchor or place his vessel according to regulations of the harbor-master and shall, whenever requested, move the same to such place as the harbor-master directs.

12-d. *Removal of Vessels.* If the master or other person in charge of a vessel lying in said harbor, Inlet or River or occupying a berth at a public wharf or pier fails after notice from the harbor-master to remove his vessel in accordance with the direction of the harbor-master, the harbor-master shall cause the vessel to be moved to some other anchorage or berth and may recover the expense of such removal in an action of contract from the master or owners thereof for the use of the state.

12-e. *Definition.* The word, vessel, as used in this sub-division shall include boats of all sizes propelled by sail, machinery or hand, including scows, dredges, shell-fish cars and craft of every kind.

12-f. *Penalty.* Whoever violates any of the provisions of the preceding sections of this sub-division or any rule or regulation promulgated hereunder or refuses to obey the local officer, or harbor-master or restrains him in the execution of his duties shall be fined not more than fifty dollars.

12-g. *Dumping in Harbor.* If any person shall unload, cast or throw out of any vessel or from the shore or wharf any ballast, rubbish, dirt, ashes or filth into said harbor, Inlet or River, between the entrance of the harbor and the landing, so-called, up said River or aid or assist therein, he shall be fined not more than ten dollars..

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Judiciary, to whom

was referred Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire, having considered the same reported the same without amendment and recommend its passage.

The report was accepted, and the bill ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom were referred House Bill No. 336, An act relative to speed regulation for the operation of motor vehicles.

House Bill No. 448 (in new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings, having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 432, An act to establish a Water Control Commission, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 101, and inserting in place thereof the following new sections: 101. *Towns May Acquire.* Amend section 4 of chapter 42 of the Public Laws by adding after paragraph XXVII the following new paragraph. XXVIII. *Acquire Dams.* To acquire, construct, control and operate dams at the outlet of any inland body of water, some part of which lies within the limits of the town, whether or not the outlet is beyond the town limits, when so to do will tend to improve the recreational value of such body of water.

102. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended referred to the Committee on Finance under the rules.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Senator Burque moved that the words, ought to pass with amendment, be substituted for the words, inexpedient to legislate, in the report.

Amend the bill by striking out the whole of section 5 and renumbering sections 6 and 7 to read sections 5 and 6 respectively.

On a *viva voce* vote the affirmative prevailed.

Senator Burque demanded a roll call.

The question being stated,

Shall the words, ought to pass with amendment, be substituted for the words, inexpedient to legislate?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Guyer, Hamlin, Freeman, Hanson, Randall, Burque, Eastman, Mahoney, Moran, and Cole.

The following named Senators voted in the negative: Senators Morris, Simpson, Stafford, Heald, Wilson, Daniel, Doe, Calef, Conner and Allen.

Eleven Senators having voted in the affirmative and ten Senators having voted in the negative, the affirmative prevailed, and the motion to substitute was adopted.

The bill being still on its second reading, Senator Hamlin offered the following amendment:

Amend the bill by striking out Section 2 and inserting in place thereof the following:

2. *Unfair Competition.* Any person who wilfully and knowingly advertises, offers for sale, sells or disposes of

any commodity at less than the price stipulated in any contract entered into by him pursuant to the provisions of the preceding section is guilty of unfair competition and shall respond in damages at the suit of any person injured thereby.

Senator Guyer moved that the bill with the amendment pending be recommitted to the Committee on Judiciary.

On a *viva voce* vote the chair was in doubt.

Senator Burque demanded a roll call.

The question being stated,

Shall the bill with the amendment pending be recommitted to the Committee on Judiciary?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Stafford, Hanson, Randall, Blood, Daniel, Doe and Calef.

The following named Senators voted in the negative: Senators Kelley, Hamlin, Freeman, Heald, Burque, Eastman, Wilson, Mahoney, Moran, Cole, Conner and Allen.

Ten Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed and the motion was lost.

The question being stated,

Shall the foregoing amendment be adopted?

On a *viva voce* vote the affirmative prevailed, and the amendment was adopted and the bill was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Blood the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Blood, for the Committee on Finance, to whom was referred House Bill No. 432, An act to establish a Water Control Commission, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted, and the bill was ordered to a third reading this afternoon at 2:00 o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 462, An act relating to bridges on trunk lines and state-aided highways, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Bridges.* Amend the first paragraph of section 2 of chapter 85 of the Public Laws, as amended by chapter 131 of the Laws of 1929, chapter 67 of the Laws of 1931 and section 3, chapter 26 of the Laws of 1935, by striking out the words "state-aided highway" and substituting therefor the words, any highway on the secondary system of highways as established by chapter 67 of the Laws of 1937, so that said paragraph as amended shall read as follows: When public convenience and necessity require the building or rebuilding of any bridge on any highway on the secondary system of highways as established by chapter 67 of the Laws of 1937, the cost thereof shall be borne as follows:

Amend the title of said bill by striking out the words, "trunk lines and state-aided highways" and inserting in place thereof the words, the secondary system of highways.

Amend section 2 of said bill by inserting after the word "Laws" in the first line the words, as amended by section 5, chapter 26, Laws of 1935.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters, having considered the same, report the same

under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "boats" in the fifth line the words, including as such. Further amend said section by inserting a comma after the word "floats" in the sixth line.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 85, An act in relation to the operation of certain boats, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "the public might" in the seventh line and inserting in place thereof the words, others may.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 125, An act relating to appraisal of taxable property.

House Bill No. 461, An act to name the highway from Winchester to Rindge.

House Joint Resolution No. 73, Joint resolution for the installation of automatic sprinkler fire protection at the State House.

House Joint Resolution No. 137, Joint resolution in favor of Mrs. William J. Elson.

HAVEN DOE,
For the Committee.

BILL RECALLED FROM COMMITTEE

On motion of Senator Wilson, Senate Bill No. 71, An act to establish a Water Control Commission, was recalled from the Committee on Judiciary.

On motion of the same Senator, the foregoing bill was indefinitely postponed.

INTRODUCTION OF BILLS

Senator Hamlin under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senator Mahoney under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 118, An act to amend section 13 of chapter 178 of the Public Laws.

Senator Freeman under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 119, An act to protect borrowers.

SPECIAL ORDER

Senator Doe called for the special order, it being Senate Bill No. 109, An act relative to the practice of optometry.

The question being stated:

Shall the amendment offered by the committee be adopted?

On motion of Senator Doe, the bill with the accompany-

ing report was recommitted to the Committee on Revision of Laws.

On motion of Senator Heald, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 100, An act relating to control of navigation at Hampton Harbor, the Inlet, so called, and Hampton River.

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

House Bill No. 432, An act to establish a Water Control Commission.

House Bill No. 448 (In new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings.

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, was read a third time.

The question being stated:

Shall the bill pass?

On motion of Senator Simpson, the Senate voted to insert in the Journal a copy of a letter from the President of the United States to the President of the United States Senate.

Washington, April 24, 1937.
The White House,

Sir: My attention was called to S. 100, which would

render legal certain contracts for the maintenance of resale prices now illegal under Federal law. I requested the Chairman of the Federal Trade Commission to give me a recommendation on this bill and I attach his reply on behalf of the Commission.

The present hazard of undue advances in prices, with a resultant rise in the cost of living, makes it most untimely to legalize any competitive or marketing practice calculated to facilitate increases in the cost of numerous and important articles which American householders and consumers generally, buy. You will note that the Federal Trade Commission has made no study of the effect of resale price maintenance on consumers since 1929, but the Commission does mention a reputable body of informed opinion to the effect that such control of resale prices would be harmful to the consuming public. Indeed, the Commission says:

There is great probability that manufacturers and dealers may abuse the power to arbitrarily fix resale prices by unduly increasing prices, resulting in bitter resentment on the part of the consuming public, especially in this period of rising prices.

Since we seem to be in a period of rising retail prices, this bill should not in my judgment receive the consideration of the Congress until the whole matter can be more fully explored. Conceivably, the Congress might approve having the Commission bring down to date the study which it made eight years ago by examining the economic effects of resale price maintenance under the novel and rapidly changing conditions now attending business in this country.

Faithfully yours,

FRANKLIN D. ROOSEVELT.

The President of the Senate.

The question being stated:

Shall the bill pass?

On a *viva voce* vote, the Chair was in doubt.

Senator Burque demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Alexander, Hamlin, Freeman, Randall, Heald, Burque, Eastman, Blood, Mahoney, Moran, and Cole.

The following named Senators voted in the negative: Senators Morris, Simpson, Guyer, Stafford, Hanson, Wilson, Daniel, Doe, Calef, Conner, and Allen.

Twelve Senators having voted in the affirmative and eleven Senators in the negative the affirmative prevailed and the bill was passed.

On motion of Senator Daniel, the Senate adjourned.

THURSDAY, JUNE 3, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senators Guyer and Stafford were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the expenses of the year ending June 30, 1939.

House Bill No. 433 (in new draft), An act relative to athletic exhibition.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammell Bridges.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 78, An act in amendment of chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills sent down from the Honorable Senate:

Senate Bill No. 90, An act relative to exceptions to the laws regarding one day rest in seven.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 121, An act relating to sending of presidential checklists to the State Library.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Presidential Elections.* Amend section 28 of chapter 10 of the Public Laws by striking out said section and inserting in place thereof the following: 28. *Checklists.*

Supervisors of towns and corresponding officers of cities shall, within seventy-two hours of the closing of the polls for each presidential election hereafter, send to the state library one of the checklists used in said election, certified by said officers.

On motion of Senator Doe, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

READ AND REFERRED

The following entitled bills sent up by the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the expenses of the year ending June 30, 1939.

To the Committee on Ways and Means:

House Bill No. 433, (in new draft), An act relative to athletic exhibition.

MESSAGE FROM THE GOVERNOR

The Secretary of State, Honorable Enoch D. Fuller, appeared and presented to the Senate the following report of the Commission on Shore and Beach Preservation and Developmnt.

To His Excellency, the Governor, and his Executive Council, and to the Honorable Senate and House of Representatives in General Court Convened:

In accordance with the provisions of chapter 116, Laws of 1931, establishing a permanent state agency for the preservation and development of the coastal lands of the state of New Hampshire, providing for the membership, method of naming, and the duties of the members of said agency, the biennial report of the doings of the said agency, with

recommendation appended, is hereby respectfully submitted to the Governor and Council and both branches of the General Court of 1937, simultaneously, through the office of the Honorable Secretary of State.

New Membership. The terms of all the members of the said agency or commission having expired in February 1935, appointed by Governor Bridges, with the consent and approval of his Council, as follows: For the term of six years, Colonel George Ashworth and Mr. Charles E. Greenman, both of Hampton; for four years, Hon. George H. Moses of Concord and Mr. Charles Francis Adams of Hampton; for two years, Hon. Walter Marston of Rye and Hon. Elihu T. Adams of Seabrook.

Following their appointment each of the foregoing members qualified for his position and a meeting later was duly called for organization which was effected with the following results: For president, Col. George Ashworth, Vice-President, Hon. Walter Marston; Secretary, Mr. Charles Francis Adams; Treasurer, Mr. Charles E. Greenman.

Additional Authority Required. The first Monday in October was designated as the date for the annual meeting. Several meetings have been held at intervals and sub-committees have consulted with the Governor and Attorney General over matters of jurisdiction and policy, revealing a definite need for additional legislative authority which the commission respectfully submits as of primary importance in the appended list for immediate executive and legislative action.

Cooperation. Believing that the best interests of the state of New Hampshire and of the several communities adjacent to the tidal waters of the state, over which this commission has specific authority, are better served and erosion and development problems better presented to the Governor and Council and the General Court by close cooperation of interested parties, we have instituted a program of intercourse between the commission, acting under its legislative authority as the official body, and town and pre-

cinct officials, chambers of commerce, the Seacoast Regional Association and individuals whereby projects of sufficient importance to merit submission to the proper authorities at Concord, may be presented in concrete form with unanimous approval of all interests involved.

To this end, a series of meetings have been held, assigning a separate date to each of several towns along the coast, and a joint session with the Seacoast Regional Association, a duly incorporated organization established for the purpose of publicizing the coastal area and for inaugurating and assisting in the development of recreational and commercial projects.

At these meetings local officials and members of civic organizations have been present and presented projects of particular interest to each locality. These meetings have already been productive of a thorough understanding of the diversified projects that the several communities desire presented for legislative or executive action and have revealed an unsuspected spirit of co-operation that readily can be developed to the great benefit of the coastal area and the whole state.

Each community now recognizes that its own pet projects must dovetail with those of their neighbor to form a well-considered and perfected development for the whole area, which, beginning with small local projects, under cooperative effort, builds into a comprehensive development program requiring the approval and financial aid of the whole state and in return giving back to the public everywhere benefits that cannot be measured in dollars and cents alone. It was brought out at one of our meetings by a farseeing member that the area contingent to tidal flow of the Atlantic Ocean is entirely different from the remainder of the state, and development programs which apply to mountains and inland lakes do not apply to the ocean front, and the work of this commission and its cooperating civic bodies is to so present the natural advantages and a program of preservation of them for future generations and the com-

mercializing of such of them as will yield revenue to the state as well as to the communities, without detriment to the scenic properties. It is a vast undertaking of years and requires a permanent, able leadership of a central authority with intelligent and whole-hearted cooperation from state, municipalities, civic organizations and private owners. With the close cooperation of the Seacoast Regional Association, now assured us, the state would receive the full benefit of the advice and efforts of a group of men whose lives have been spent in this section and whose knowledge of and sincere interest in the preservation and studied development of the New Hampshire coast is unexcelled.

Common Projects. The series of local consultations thus far held have demonstrated the fact that many of the projects brought up for consideration have been broader then the local demand. They are as broad as the coastal section itself in character and universal in public interest, convenience and necessity. Among these comes first the transportation problem. Every town along the ocean front with the city of Portsmouth is demanding better highway facilities for unimpeded travel for the ever increasing out-of-state traffic supplemented by the influx of our own people who, more and more, are spending their leisure hours at the ocean side. In the solution of this problem projects have already been formulated and one of them, the proposed Hampton Beach highway across the marshlands west of and parallel to Ocean Boulevard, has been presented to the legislature as House Bill No. 251, and, on recommendation of the Committee on Public Improvements, referred, most unwisely we believe, to the next legislature. There is yet time for legislative action before the end of the present session, and in our opinion, that vote should be reconsidered and a portion, at least, of this most necessary link in the traffic problem at the beach be constructed this season.

Another of these secondary highways tending to divide the traffic of the congested boulevard, was proposed at the

North Hampton and Rye consultation. Such a road branching from the boulevard at a point in the vicinity of the Coast Guard Station at the north end of Hampton Beach, would make a wide detour to the west, making use, for much of the distance, of existing highways, and return to Ocean Boulevard at Straw's Point in Rye. This new road would by-pass Little Boar's Head and Rye Beach, both difficult sections for the widening of the present boulevard. We believe the plan is feasible and desirable if signs were erected at junction points instructing the motorist in a choice of rapid progress to points beyond or a more leisurely course along the ocean front for the enjoyment of the scenic beauties of the coastland.

The establishment of parking places, comfort stations and bath houses at frequent intervals along the coast is another project which is of vital interest not only to our communities but to the general public making use of our highways and recreational areas. The Governor and Council have already authorized the construction of a bath house at Hampton River Mouth. We believe a second one at the Coast Guard Station, Hampton North Beach, should be immediately erected, and others as development programs require them.

The proposed Inland Waterway is another large project in which the state and local communities are alike interested. When completed, this project would provide a sea-level water course for use of light-draught craft from the Merrimack River through Blackwater Creek to Hampton River and thence by low lands and existing water course to Great Bay and Piscataqua River to the Ocean. Most of this project must remain for future study and execution, but the section from the Merrimack to Hampton River is a present-action project and has been under study by the Massachusetts authorities for months. Blue prints of the engineer work are available, both from the Massachusetts promoters and from the State Highway Department at Concord. This section is a Federal interstate project re-

quiring nothing from New Hampshire except authorization.

Seabrook Airport. Along with this canal project there is being developed a Federal airport, situated on the Seabrook marshes in proximity to the proposed canal.

Reclamation of Marsh Lands. This project, for the study of which this commission was originally created, is of such vast proportions and requiring so long a period for consummation, that is of necessity a deferred project. The first step opening the way for commercial development of the marshes was the checking of erosion at the river mouth, an accomplished fact at the present time through the stabilizing of Hampton River by the construction of jetties by the state of New Hampshire, brought about through the untiring efforts of this commission. The way is now open for a safe, practical and highly profitable development project in the reclamation of the Seabrook, Hampton Falls and Hampton marsh lands. The commission is ready to begin serious study of the vast project; to chart a comprehensive field of engineering work embracing the laying out of waste lands into areas of recreational and commercial development.

Mosquito Eradication. A project in which the state must enter to insure a successful end is the mosquito eradication problem which North Hampton has been attempting to carry on indefinitely. It is found, however, that unless the entire marsh areas of the coast are involved, which can be only by state supervision, no success can be obtained. We, therefore, recommend that legislative assistance be obtained for this project.

First White Settlement. The town of Rye claims the site of the first white settlement in the state in 1623. The Colonial Dames have erected a tablet commemorating the event, and we recommend that the state purchase an area of land surrounding the tablet to be held in perpetuity as an historic spot of common interest and beautify the same.

Bound Rock. Of the same character as the foregoing is the proposed plan to establish a permanent protective hous-

ing for Bound Rock, Seabrook Beach. This rock in 1657 was made the boundary line between Salisbury and Hampton, both towns up to that time being in Norfolk County. Massachusetts, and at the same time was made the eastern bound of a line dividing the two states and running westerly in a straight line to a point in Hampstead, which remained until the Mitchell line was run in 1741. A description of the rock and its markings was furnished by the late Mr. Frederick B. French, historian and surveyor of South Hampton, to accompany a report made by James W. Goldthwaite, Ph. D., for this commission which is appended as it appeared in that report.

"Bound Rock is as big as my barn, perhaps. On the southerly side of it the water came up to the ledge like a wharf. On top, here, much like a school desk is the marking

AD
1657

Below this is what was for a cross and crown, perhaps, but now (several years ago) worn by the elements so as to be hardly seen.

On it was also

H B
1850

for Hampton Bound, to show their southern limit of course. We were told this was made after the ledge was uncovered.

Also

S H

This was to show the limits of our (South Hampton's) possession, as I understand it.

The old marks on the stone were apparently recut, but with tools and workmen not used to the job, so the old letters and figures were hurt rather than improved."

The state highway department, under the direction of its chief engineer, Daniel Dickinson, C. E., already has taken

action in the matter, which has the unanimous approval of this commission.

Rye Harbor Project. The proposed development of Rye Harbor and vicinity embraces two distinct projects:

First: The establishment of a site at Ragged Neck by the State for the annual encampment of 197th Regiment, Coast Artillery and the placement of its anti-aircraft guns is a military project under direction of General Charles W. Howard. An average of some 40 acres has been purchased and is now being cleared of underbrush by a corps of W. P. A. workers.

Second: The second project involves the Rye Harbor improvements. The State has purchased land surrounding the harbor and its improvement will follow under direction of the Rye Harbor Commission, according to plans exhibited to the Governor and Council. It is proposed to build jetties at the mouth of the harbor and dredge the harbor, at a cost of some $250,000, forty-five per cent of which it is believed will be granted by the Federal government if the remaining fifty-five per cent is appropriated by the legislature. Until the jetties are built all development work is held in abeyance. The jetty work is urgently desired by the Harbor Commission at this time as the Federal grant may not be available at a later date.

LOCAL CONFERENCES

The presentation of local projects at the series of meetings heretofore referred to in our general report, in brief was as follows:

Seabrook. Our first meeting of this series was held at Seabrook, April 15th with two members of the Board of Selectmen, Mr. Thomas Owen and Mr. W. H. Sanborn, present and a member of the Commission, Hon. Elihu T. Adams, appearing also in behalf of the Seabrook Beach area.

Speaking in behalf of the citizens of the town of Seabrook, representatives urged the completion of the oval at

Smithtown, now under construction by the State Highway Department, as a means of solving many of the traffic problems during the summer months at this point. Blue-prints of the proposed engineering work were exhibited, from which it was evident that not only will traffic congestion be remedied but the scenic properties of this at present not very attractive spot will be greatly improved.

The construction was urged of the proposed Blackwater Canal, an inter-state Federal project designed to connect the waters of the Merrimack and Hampton rivers with a three hundred foot wide canal, and in connection therewith the Seabrook representatives suggested that the state build a pier and water course from Seabrook Beach to the canal.

North Hampton. On Saturday evening, April 17th, the commission met the Selectmen and Precinct Commissioners of North Hampton. The representatives of this town had three definite projects to present as necessary to the town and worthy of consideration and assistance by the state. These projects were:

1. Better transportation facilities by the widening of the ocean boulevard or the construction of an inland roadway to care for through traffic (a plan of which is appended to this report).

Cooperation with the Federal government was also urged in behalf of the airport which the government plans to construct in the vicinity of the canal project, with suitable parking places and a bath house and comfort station on the ocean front.

2. Drainage of the salt marshes.

3. Mosquito extermination under state control to embrace the marsh lands of the entire coast.

The authorities of North Hampton considered the first of these projects of vital importance. The demand for parking places is urgent. The present parking on the sides of the winding boulevard rapidly increasing year by year,

is providing a traffic problem that must be solved in the near future.

The mosquito nuisance in this town is proving one beyond the power of the town to control. In spite of all that has been done by selectmen and precinct commissioners very poor results are obtained owing to the prevailing southwesterly winds which cause a continuous drift of the pest from the great marshes of Hampton where the breeding places are unmolested. The project is one that properly belongs under state jurisdiction.

Rye. Our meeting with Rye officials followed the inspection of Ragged Neck and Rye Harbor purchase by Governor Murphy, his council and other heads of departments at Concord, on Friday, April 16th. Those present included the Hon. Walter J. Marston, Mr. Shirley Philbrick, the Messrs. Sawyer, Selectmen of Rye, and the Precinct Commissioner and others interested in Rye development.

In connection with the Ragged Neck development the representatives of Rye brought up the subject of the loss of taxes through purchase by the State of Rye real estate and suggested to us that the State might, as compensation therefor, provide a camping site with sanitary facilities and necessary equipment for tourists, charging for the use a moderate sum which would make it self supporting. The plan is feasible and practical and has the approval of the Commission.

A bath house and comfort station for Rye was urged and should be constructed in the near future.

A fine spirit of cooperation was manifest and many suggestions offered. The paramount project, like that in the other coastal towns, was improved transportation. Ocean Boulevard, with its winding, narrow roadbed, is now wholly inadequate for summer traffic, and a constantly increasing influx of visitors, both citizens of New Hampshire and from every state in the Union, each year, makes imperative

either the widening of the boulevard or the construction of a by-pass. No definite plans to relieve the congestion could be offered now, but it was the opinion of all that the commission should make a study of the subject and suggest a practical remedy as soon as possible.

Rye Harbor and Ragged Neck projects were presented as of most importance to the development of the Beach district. The Rye Harbor improvement is in the hands of a state commission created for the purpose and the most that this commission can offer is hearty cooperation and such assistance as it can give in the securing of financial aid.

The Ragged Neck project is a military one in the hands of General Howard.

Another matter the Rye representatives urged the commission to take up was the taking and beautifying of a small area of land surrounding the monument erected by the Colonial Dames to commemorate the spot on which the first white settlement was founded. The owner of the land, Mr. Colman, and others are willing to cooperate but the historical importance of the site makes it definitely a state project.

Mosquito eradication under state management was made an important matter for the commission's cooperation.

Minor projects, like marsh drainage and sewage disposal, were presented as subjects for future study.

Hampton. The largest meeting of the local series was held at Hampton Monday evening, April 19th, at which were present the selectmen, Mr. Edward Batchelder, Mr. Harry D. Munsey and Mr. Elroy G. Shaw; the Hampton Beach Commissioner, Col. George Ashworth, who is also a member of the commission, Mr. Amos Guyan and Mr. Fred Lorenz; members of Hampton and Hampton Beach Chambers of Commerce including Mr. James Tucker, secretary of the Beach Chamber, and Mr. Edward Seavey of the Hampton Chamber; town counsel, Judge John W. Perkins. Mr. Tucker spoke in behalf of some remedy for the

traffic problem. He showed conclusively that if relief in this matter is not immediately afforded, growth of the beach must cease and the expensive advertising which is being sent out for this section would be more of a menace than a help to the Beach. He said there were three methods by which relief could be had. House Bill No. 251, which is an act to construct a new highway and accompanying water course across marsh lands from the toll bridge to Winnicummet road, west of and parallel to Ocean Boulevard; the construction of a new road from Elmwood Corner across the marshes to Marsh Avenue; the widening of the present boulevard, which, Mr. Tucker said, Chief Engineer Dickinson favors, but which would in the near future be inadequate.

Lack of parking space convenient to the attractions is another problem to be remedied at once, Mr. Tucker stated.

Hon. Elihu Adams of Seabrook suggested that a section of the proposed highway in House Bill 251 might be constructed this year if funds for the entire work could not be found, and said he thought a new bill covering part of the proposed work could be passed by the legislature at this session.

Col. Ashworth, Chairman of the Precinct Commission, spoke of the need of bath houses and comfort station at North Beach.

Other speakers suggested the importance of acquiring land for parking places at once and stated control of mosquito eradication.

Seacoast Regional. The final meeting of the local series was held jointly with the Seacoast Regional Association at Durham.

It was an important meeting. Thirty-four persons were present, including Dr. Englehardt, the new president of New Hampshire University; President Randall and Secretary Redden and a score of members of the association;

four members of this commission; Hon. Robert Marvin of the State Planning Board, and guests.

A banquet was served following which the meeting got down to business, with President Frank Randall of the Regional presiding. Various projects, both for immediate action and future study, were brought forward by representatives of local sections of the coast, all of which are given consideration within the pages of this report.

Mr. James W. Tucker of the Hampton Beach Chamber of Commerce spoke in behalf of the traffic and parking problem at Hampton Beach; Mr. Shirley Philbrick and Hon. Walter G. Marston spoke for the Rye Harbor project, mosquito eradication, improved transportation and establishment of parking places, comfort stations and bath houses, and purchase of land surrounding the site of the monument commemorating the first white settlement in New Hampshire.

Former Councillor Charles H. Brackett was in favor of all progressive development projects but also referred to the difficulty of securing appropriations at this time.

A committee of three members of the Seacoast Regional Association was appointed to cooperate with the commission in submitting a report to the Governor and Council and the legislature. The committee was named by the presiding officer as follows: Mr. Frank Randall of Portsmouth, Mr. George Hughes of Dover and Mr. Russell Sawyer of Rye.

RECOMMENDATIONS

The following recommendations are respectfully submitted in two sections—the first of such importance as to warrant immediate legislative or executive action; the second lists projects which, although of much importance in the whole scheme of development, either require further study or can be deferred without injury to our program.

FOR IMMEDIATE ADOPTION

1. The proposed Hampton Beach auxiliary highway across the marshlands west of and parallel to Ocean Boulevard, immediately necessary to relieve a congestion on the boulevard between the toll bridge and the junction of boulevard with Winnicummet road, that is seriously damaging the advent of visitors to the beach. We recommend that a portion at least be authorized constructed by the present legislature and financed by the issuance of bonds amortized by Hampton River Bridge tolls.

2. Cooperation of the State with Massachusetts and the Federal government in execution of plans for a section of an inland waterway connecting the waters of the Merrimack and Hampton Rivers and the construction of a Federal airport at Seabrook Beach.

3. Construction of a Landing Pier on Seabrook Beach side of Hampton Harbor at Seabrook end of toll bridge and a water course connecting the pier with the Blackwater Canal.

4. Cooperation with private individuals in the purchasing and beautifying of about one-half an acre of land sursounding the monument erected by the Colonial Dames commemorating the first white settlement in New Hampshire at Rye Beach.

5. The construction of protective housing for Bound Rock at Hampton and Seabrook beaches.

6. An appropriation of fifty-five per cent of the estimated cost of jetty construction at the mouth of Rye Harbor if and when a Government grant of forty-five per cent is available.

7. The construction of a bath house and comfort station at Little Boar's Head.

FOR FUTURE STUDY AND EXECUTION

1. Marsh land development, a long term program.
2. Construction of a broad Ocean Boulevard from the

Massachusetts line to the Memorial Bridge at Portsmouth, or such other bridge as may be erected.

3. A secondary highway for through traffic, by-passing Little Boar's Head and Rye Beach.

4. Mosquito eradication under state supervision.

5. Great Bay Shore development.

6. Construction of bath houses and comfort stations at intervals along the entire coast.

7. We recommend that careful consideration and study be given to the route of the ocean boulevard north of Odiorne's Point.

The suggestion has been made that this proposed road might turn in an easterly direction at Seavey's Creek bridge and continue through the town of Newcastle, then passing over Pierce Island, a beautiful and historic island of 27 acres municipally owned, and overlooking New Hampshire's only sea port, the finest harbor on the Atlantic coast, then across the bridge to the main-land where is located some of the finest 18th century architecture in existence and which is the site of a proposed National Park.

This suggested route is a part of the plan for a new boulevard the entire length of the seacoast.

It is a long range program and should be carefully studied.

8. The Advisory Committee of the Seacoast Regional Association thought to long range planning for the development of Great Bay.

The development of this large water area is of importance to several communities. It is not a matter for immediate actions, but rather one for long range planning in order that developments may be made along constructive lines.

The possibility of a scenic highway—the control of the tidal water in order to develop the shore—for cottages and homes—the question of hunting and fishing—the re-stocking of the Bay with salmon.

These and many other suggestions have been considered

and we urge that consideration be given to this project as one of those recommended for future study.

9. Another project on tide water within the scope of this Commission and endorsed by the Regional Association is the acquisition of land by the State of New Hampshire in the town of Newington and Dover at the approaches to the General Sullivan Bridge across Little Bay.

Such land would permit the beautification of these approaches and would also permit the establishment of a trailer camp which would provide income and make the whole project self-liquidating.

The trailer problem is becoming serious. A trailer camp involves problems of sanitation and health. It would appear that such a camp would be better controlled and policed and maintained by the State than under private operation by an individual. This matter is now before the legislature and we believe it is worthy of careful consideration.

10. We recommend that careful consideration be given to the project for a National Park development around the Liberty Pole in the city of Portsmouth.

On the original pole on this site the first No Stamp Flag was displayed nine years prior to the Revolution.

In the area of the proposed park are some of the finest examples of 18th century architecture and in the immediate vicinity is the Tobias Lear House, the home of Washington's secretary, the Wentworth Gardner House and the famous old Point of Graves cemetery.

The National Park Service of the Department of the Interior has been ordered by the Congress to develop a series of parks commemorating our colonial history. This area with its historic background and its national setting makes possible the restoration of a colonial maritime town, and the project has been studied with great interest and enthusiasm by representatives of the Department.

The Federal Government, through the National Park

Service, would create the development and maintain the same forever.

The State must first acquire the land. The area involved has a low assessed valuation and some portions are municipally owned. With a minimum of expense, therefore, a development can be accomplished of infinite value not only to the seacoast region, but to the whole State of New Hampshire.

Our historic shrines and colonial architecture are valuable assets. They must be preserved and maintained. Too long we have waited for individuals and organizations to acquire these properties and many have been lost. It is time we did something as a State to preserve these shrines for future generations.

We believe this project is entitled to immediate study and whole-hearted support.

GEORGE ASHWORTH,
WALTER G. MARSTON,
GEO. H. MOSES,
CHARLES E. GREENMAN,
ELIHU T. ADAMS,
CHARLES FRANCIS ADAMS.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 110, An act relative to the powers of the school district of Hampton, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the town of Hampton, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 2 thereof and substituting the following new sections:

2. *Exercise of Power.* No vote or action by said district under or in pursuance of the powers herein granted shall be valid unless adopted or taken at a meeting of the legal voters of said district, duly called and held on some date between the fifteenth day of June and the first day of September in any year.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Heald for the Committee on Agriculture, to whom was referred Senate Bill No. 89, An act relating to poultry and domestic rabbits, having considered the same, reported the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the title of the bill by striking out the whole thereof and substituting the following: An act relating to the Taxation of Domestic Rabbits.

Amend section 1 of the bill by striking out the whole thereof and substituting the following:

1. Amend section 14 of chapter 60 of the Public Laws by adding a new division IX after Division VIII of said section; said new section to read as follows: IX. *Domestic Rabbits.* Domestic rabbits of every description over two months' old in excess of the aggregate value of fifty dollars ($50).

The report was accepted, amendment adopted, and the bill ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 78, An act relative to the New Hampshire water resources board.

House Bill No. 438, An act to increase the salary of Solicitor of Cheshire County.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILLS

Senator Morris, under a suspension of the rules, sixteen Snators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Fisheries and Game.

Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster.

The President declared a recess.

(Recess)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 479, An act relative to the issue of notes by the County of Merrimack.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 479, An act relative to the issue of notes by the County of Merrimack.

On motion of Senator Blood, the rules were suspended, reference to committee dispensed with and the foregoing bill was read a third time and passed.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton.

Senate Bill No. 110, An act relative to the powers of the School District of Hampton.

On motion of Senator Freeman, the following resolution was adopted:

Resolved, That when the Senate adojurns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, JUNE 4, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N H., June 4, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JUNE 7, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 7, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JUNE 8, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 432, An act to establish a Water Control Commission.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

House Bill No. 462, An act relating to bridges on trunk lines and state-aided highways.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 90, An act relative to exemptions to the law regarding one day rest in seven.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *One Day Rest in Seven.* Amend section 47 of chapter 176 of the Public Laws, as inserted by chapter 130 of the Laws of 1933, by adding at the end of paragraph 111

the words, or periodicals with definite on-sale newsstand dates, so that said section as amended shall read as follows:

On motion of Senator Wilson, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, and asks for a Committee of Conference. The Speaker has appointed as members on such committee on the part of the House, Messrs. Etsler of Claremont, Ahern of Concord and Pulsifer of Campton.

On motion of Senator Hamlin, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference, and the President appointed as members on the part of the Senate Senators Hamlin and Burque.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary,

House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

COMMITTEE REPORTS

Senator Blood for the Committee on Public Health, to whom was referred Senate Bill No. 98, An act concerning the control of narcotic drugs, as revised by the Federal

Narcotic Bureau August, 1932, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, the subject matter being covered by existing Federal and State Laws.

The report was accepted and recommendation of the Committee adopted.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles, having considered the same, reported the same under Joint Rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figure "and 18" in the second line; by inserting after the word "limit" in the eleventh line the following:

2. *Speed Limit.* Amend said chapter 103 by inserting after section 17 as hereinbefore amended the following new sections:

Further amend said section 1 of said bill by renumbering the paragraph numbers from 18, 18-a, 18-b and 18-c to read, respectively 17-a, 17-b, 17-c and 17-d.

Further amend said bill by adding after section 1 the following new section:

3. *Repeal.* Section 18 of said chapter 103, as amended by chapter 76 of the Laws of 1927, relating to evidence of unlawful speed, is hereby repealed.

Further amend said bill by renumbering section 2 to read section 4.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendments.

INTRODUCTION OF BILLS

Senator Blood, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 121, An act in amendment of section 25-a of chapter 60 of the Public Laws relating to exemption from taxation.

Senator Hamlin, under a suspension of the rules. sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

Senator Daniel, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 123, An act to protect trade mark owners, distributors, independent retailers and the public against injurious and uneconomic practices in the distribution or articles of standard quality under a trade mark, brand or name.

Senator Hanson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution which was read a first and second time, laid on the table to be printed and referred to the Committee on Claims.

Senate Joint Resolution No. 9, Joint Resolution in favor of John Fredette.

Senator Calef under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary, Senate Bill No. 124, An act relative to an authorized bond issue by the Town of Strafford.

On motion of Senator Calef, the rules were suspended, printing and reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

RECONSIDERATION

Senator Connor moved that the rules be suspended to reconsider the vote on House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton.

(Discussion ensued)

On a *viva voce* vote the negative prevailed.

Senator Conner demanded a roll call.

The question being stated,

Shall the rules be suspended to reconsider the vote on the foregoing bill?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Simpson, Stafford, Hamlin, Blood, Daniel, Calef, Cole, Conner and Allen.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Guyer, Freeman, Hanson, Randall, Heald, Burque, Eastman, Wilson, Mahoney, Moran, and Doe.

Nine Senators having voted in the affirmative and fourteen Senators having voted in the negative, the negative prevailed and the motion to reconsider was lost.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READING

The following entitled bill was read a third time and passed.

House Bill No. 469, An act authorizing the Town of Weare to issue refunding notes or bonds.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, JUNE 9, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills and a joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 87 (in new draft and title), An act relating to the forestry and recreation commission.

House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds.

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the

Committee on Engrossed Bills, to the following House Bill and Senate Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammell bridges.

Amend section 5 of said bill by inserting after the word "maturity" in the fourteenth line the words, such bonds and notes.

On motion of Senator Doe, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Insurance Companies.* Amend paragraph 1 of section 1 of chapter 272 of the Public Laws, as amended by chapter 135 of the Laws of 1931, by inserting after the word "bombardment" in the fifth line the words, impact by aircraft or vehicles, so that said paragraph as amended shall read as follows: 1. On property and rents and use and occupancy, against loss or damage by fire, smoke, smoke smudge, lightning, earthquake, hail, windstorm or other action of the elements; explosion (other than the explosion of steam boilers or flywheels); riot, strike or civil commotion; bombardment; impact by aircraft or vehicles; breakage or leakage of apparatus erected for extinguishing fires and on such apparatus against loss or damage by accidental injury and against liability of the insured for loss or damage to property caused thereby.

Takes Effect. This act shall take effect upon its passage.

On motion of Senator Wilson, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate:

Whereas, the Portsmouth Naval Hospital is manned and equipped to take care of a large number of sick and disabled service men and war veterans; and

Whereas, since the so-called Economy Act of March, 1933, the use of the facilities of this institution have been restricted to men now in the service with the execption of an allotment of ten beds for use by the Veterans' Administration in hospitalizing World War Veterans suffering from acute disabilities requiring emergency treatment; and

Whereas, there are a large number of beds not being used at the Portsmouth Naval Hospital that in our opinion should be made available for general medical and surgical cases; and

Whereas, the veterans of the World War needing general medical and surgical attention are obliged to submit to treatment in hospitals outside the borders of the state, thus causing a great inconvenience and mental anguish not only to themselves but to their families; and

Whereas, most of these Veterans' Administration Facilities outside of the state are in such a crowded condition that a patient is obliged to wait from three to six weeks before being admitted; therefore,

Be it Resolved, by the Senate and House of Representatives that we believe the war veterans of New Hampshire are entitled to the same consideration and fair treatment as are veterans of other states, and accordingly we urgently request the Administrator of Veterans' Affairs to make the necessary arrangements with the Navy Department for at least fifty (50) beds to be used by the Veterans' Administration in hospitalizing World War Veterans in this state in need of general medical and surgical attention; and

Be it Further Resolved, that a copy of this resolution be transmitted to Senator H. Styles Bridges, Senator Fred A.

Brown, Congressman Charles W. Tobey. Congressman Arthur B. Jenks, with a request that they use their best efforts in connection with the purpose of this resolution.

RICHARD H. DICKINSON,
MARY C. DONDERO,
ABRAHAM L. DAVIS, JR.,
HENRY L. ESTABROOK,
JOHN F. TIERNEY.

On motion of Senator Doe, the resolution was laid on the table and referred to the Committee on Judiciary.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to the following bill and joint resolution.

House Bill No. 6, An act relating to the taking of raccoon.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Forestry,

House Bill No. 87 (in new draft and title), An act relating to the forestry and recreation commission.

To the Committee on Judiciary,

House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds.

To the Committee on Claims,

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

COMMITTEE REPORTS

Senator Blood for the Joint Committee on Public Health, Judiciary and Finance, to whom was referred House Bill

No. 277 (in new draft), An act relating to marriage, having considered the same and being unable to agree, reported the same without recommendation.

The report was accepted.

On motion of Senator Blood the bill was recommitted to the Joint Committee on Public Health, Judiciary and Finance.

ORDER VACATED

On motion of Senator Blood the order whereby Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis, was referred to the Committee on Public Health was vacated and the joint resolution was referred to a Joint Committee on Public Health, Judiciary and Finance.

Senator Wilson for the Committee on the Judiciary, to whom were referred:

Senate Bill No. 51, An act relating to neglected and delinquent children.

Senate Bill No. 52, An act creating a probation department.

Having considered the same, report the same with the following resolution:

Resolved, That they are inexpedient to legislate, subject matter covered by other legislation.

The reports were accepted and the recommendations of the committee adopted.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 254 (in second new draft), An act creating a Department of State Police, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Qualifications of Superintendent; Salary.* The super-

intendent shall be a citizen of the United States and have had experience in investigation of crime and criminal prosecution at the time of his appointment. Said superintendent shall give bond, in such sum as the governor and council may determine, for the faithful discharge of his duties. The annual salary of said superintendent shall be four thousand dollars.

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6. *Superintendent's Authority.* Any police employee may be suspended, discharged or demoted by the superintendent for cause but shall be entitled to a public hearing if he so requests.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Power to Make Regulations.* The superintendent shall have authority, with the approval of the governor and council, to make such reasonable rules and regulations as may be desirable for the efficient administration of the department. He shall from time to time, in accordance with any such rules and regulations which may be adopted, designate or change the rank or grade to be held by any or all employees. He shall have authority, within the limits of the appropriation for said department, to employ such civilian employees as may be necessary and shall have authority to determine the duties of all employees and to determine what employees shall give bonds and in what sums.

Amend section 11 of said bill by striking out the same and inserting in place thereof the following:

11. *Rewards Paid to Treasury.* Any fee for the performance of an act in line of duty or reward for the apprehension or the conviction of any person, or for the recovery of any property, received by or payable to any employee, shall be paid by him to the superintendent who shall immediately forward the same to the state treasurer.

All fines and costs assessed against any violator of law apprehended or prosecuted by a police employee, except such as may be assessed against persons committing or attempting to commit a felony, shall be sent, by the court collecting the same from such law violator to the superintendent within five days from their payment, and by him immediately paid into the state treasury.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following:

12. *Cooperation with Other Police Forces.* The superintendent and employees shall cooperate and exchange information with any other law enforcement agency both within and without this state, including federal authorities, for the purpose of preventing and detecting crime and apprehending criminals. The superintendent may, on the request of any responsible official of any such agency, assist such official by detailing to him such police employees, for such length of time and under such conditions as the superintendent may deem proper.

Amend section 13 of said bill by striking out the same and inserting in place thereof the following:

13. *Authority and Duties of Police Employees.* Police employees shall be *ex-officiis* constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto and shall report to the commissioner of motor vehicles all violations of and prosecutions under the motor vehicle laws; have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony such employee

shall immediately make a report to the solicitor and the sheriff of the county in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees.

Amend section 14 of said bill by striking out the same and inserting in place thereof the following:

14. *Power to Take Identification Data.* The employees shall have authority to take fingerprints, and in addition thereto, such identification data as shall be prescribed by the superintendent, of all persons taken into custody by them in the discharge of their duties. One copy of such fingerprints and other identification data, as the superintendent may determine, shall be transmitted to the federal bureau of investigation of the United States department of justice at Washington.

Amend section 16 of said bill by striking out the same and inserting in place thereof the following:

16. *Restrictions in Municipalities.* A police employee shall not act within the limits of any town or city having an organized police force, except when he witnesses a crime or is in pursuit of a law violator or suspected violator, or when in search of a person wanted for a crime committed outside its limits, or when in search of a witness of such a crime or when requested to act by an official of another law enforcing agency, as provided under section 12, or when ordered by the governor.

Amend section 17 of said bill by striking out the same.

Amend section 18 of said bill by renumbering, striking out the same and inserting in place thereof the following:

17. *Transfer of Equipment and Personnel.* The equipment and records of the state investigator acquired pursuant to chapter 152 of the Laws of 1933 and all motor vehicles, motorcycles, uniforms, all side arms and all other equipment owned by the state and heretofore used in connection with the motor vehicle department for highway

patrol work shall be transferred to the department. The initial personnel of the department shall be made up from such motor vehicle examiners as have under existing law been heretofore assigned by the motor vehicle commissioner as a special uniformed division for highway patrol work and the personnel of the department of the state investigator who shall, at the time of the passage of this act, be transferred to and become employees of the department.

Amend said bill by renumbering section 19 to read section 18.

Amend said bill by renumbering sections 20 to 24, inclusive, to read sections 19 to 23, inclusive, respectively.

The report was accepted.

Senator Hamlin moved that the bill with the accompanying report be laid on the table and be made a special order for Thursday, June 10th, at 11:01 o'clock.

(Discussion ensued)

Senator Hamlin withdrew his motion.

On motion of Senator Doe, further reading of the amendments was dispensed with and the various amendments were explained to the Senate by Senator Wilson, Chairman of the Committee on the Judiciary.

The question being stated:

Shall the amendments offered by the Committee be adopted?

On a *viva voce* vote the amendments were adopted and the bill referred to the Committee on Finance under the rules.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 402, An act creating a Probation Department, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 5 and substituting therefor the following:

5. *Probation Officers Selected and Assigned.* Probation officers shall be appointed by the board upon the recommendation of the director from a list found qualified by the board. Such officers shall be assigned to and reside in counties or districts of the state to be designated by the board. For a period of two years from the passage of this act no more than four probation officers shall be appointed by the board. However, municipal courts in towns having a population of over five thousand shall and other courts may appoint one or more qualified probation officers for their respective courts. Such officers shall be subject to supervision by the board and each shall hold his office during the pleasure of the board.

Further amend said bill by striking out section 7 and substituting therefor the following:

7. *Bonds.* Before performing any official duty each state probation officer shall give a suitable bond at the expense of the state.

Further amend the bill by striking out section 10 and substituting therefor the following:

10. *Investigation Required.* No defendant shall be placed on probation until the report of the investigation by a probation officer shall have been presented to and considered by the court having jurisdiction. Whenever a petition for the adoption of or the appointment of a guardian over a minor under eighteen years of age is filed in any court of probate, the judge thereof may cause an investigation and report to be made by a probation officer for his consideration.

Further amend said bill by adding at the end of section 15 the following new section:

16. *Authority Limited.* This act shall not be construed as authorizing any public official, agent or representative in carrying out any of the provisions of this act to take charge of any child over the objection of either of the

parents of such child or of the person standing in *loco parentis* to such child, except pursuant to a court order.

Further amend said bill by renumbering sections 16, 17 and 18 to be 17, 18 and 19 respectively.

The report was accepted, amendments adopted and the bill referred to the Committee on Finance under the rules.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 404 (in new draft), An act relating to neglected and delinquent children, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend said bill by striking out Section 3 thereof and substituting therefor the following:

3. *Petition.* Any reputable person having information of a child who appears to be either neglected or delinquent may file with a judge or clerk of any municipal court in the county in which the child is found or resides a petition in writing setting forth the facts verified by affidavit. On motion of any probation officer alleging that either justice or convenience requires the transfer of the petition to some other municipal court such petition may be transferred to such court if justice or convenience requires.

Further amend the bill by adding after Section 25 the following new section:

26. *Authority Limited.* This act shall not be construed as authorizing any public official, agent or representative in carrying out any of the provisions of this act to take charge of any child over the objection of either of the parents of such child or of the person standing in *loco parentis* to such child, except pursuant to a court order.

Further amend said bill by renumbering Sections 26 and 27 to be Sections 27 and 28 respectively.

The report was accepted, amendments adopted and the bill referred to the Committee on Finance under the rules.

Senator Wilson for the Committee on the Judiciary, to whom was referred Senate Bill No. 101, An act relating to

proof of financial responsibility by owners and operators of motor vehicles, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend paragraph 3 of section 1 of the bill by striking out the word "of" in the first line of said paragraph and substituting therefor the word to; so that said paragraph as amended shall read as follows:

III. "Owner", a person who holds the legal title to a motor vehicle, trailer or semi-trailer, or in the event a motor vehicle, trailer or semi-trailer is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a motor vehicle, trailer or semi-trailer is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act.

Amend paragraph VII of section 1 by striking out the same and substituting therefor the following:

VII. "Motor Vehicle Liability Policy", a policy of liability insurance which provides indemnity for or protection to the insured and any person responsible to him for the operation of the insured's motor vehicle, trailer or semi-trailer who has obtained possession or control thereof with his express or implied consent, against loss by reason of the liability to pay damages to others for damage to property, except property of others in charge of the insured or his employees, or bodily injuries, including death at any time resulting therefrom, accidentally sustained during the term of said policy by any person other than the insured, employees of the insured actually operating the motor vehicle or of such other person responsible as aforesaid who are entitled to payments or benefits under the provisions of any workmen's compensation act, arising out of the ownership, operation, maintenance, control or use within the lim-

its of the United States of America or the Dominion of Canada of such motor vehicle, trailer or semi-trailer, to the amount or limit of at least five thousand dollars on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, of at least ten thousand dollars on account of any one accident resulting in injury to or death of more than one person, and of at least one thousand dollars for damage to property of others, as herein provided, or a binder pending the issue of such a policy, or an indorsement to an existing policy, as defined in sections 16, 17 and 19.

Amend paragraph VIII of section 1 by striking out the whole of said paragraph and substituting therefor the following:

VIII. "Motor Vehicle Liability Bond", a bond conforming to the provisions of section 18 and conditioned that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible to him for the operation of the obligor's motor vehicle, trailer or semi-trailer who has obtained possession or control thereof with his express or implied consent, in actions to recover damages for damage to property of others or bodily injuries, including death at any time resulting therefrom, accidentally sustained during the term of said bond by any person other than the insured employees of the obligor actually operating the motor vehicle or of such other person responsible as aforesaid who are entitled to payments or benefits under the provisions of any workmen's compensation act, arising out of the ownership, operation, maintenance, control or use within the limits of the United States of America or the Dominion of Canada of such motor vehicle, trailer or semi-trailer, to the amount or limit of at least one thousand dollars on account of damage to property and at least five thousand dollars, on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, at least ten thousand dollars on account of any one

accident resulting in injury to or death of more than one person.

Further amend the bill by striking out the whole of section 3 and substituting therefor the following:

3. *Proof Required Upon Conviction for Motor Vehicle Law Violations.* Upon receipt of an abstract of the record in case of conviction of any person for a violation of such of the provisions of any state law relative to motor vehicles as the commissioner shall determine the commissioner may forthwith suspend the license of the person so convicted and the registration certificates and registration plates issued for any motor vehicle, trailer or semi-trailer registered in the name of such person unless and until such person gives and thereafter maintains for a period of three years proof of his financial responsibility. The commissioner shall take action as required in this section upon receiving proper evidence of any such conviction of any person in another state.

Further amend the bill by striking out section 6 and substituting therefor the following:

6. *Security and Proof Required Following Accident.* Upon receipt by him of the report of an accident which has resulted in bodily injury or death, or in damage to property in excess of seventy-five dollars, the commissioner shall forthwith suspend the license of any person operating, and the registration certificates and registration plates of any person owning a motor vehicle, trailer or semi-trailer in any manner involved in such accident unless and until such operator or owner or both shall have previously furnished or immediately furnishes sufficient security to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator by or on behalf of the aggrieved person or his legal representative, and unless and until such owner or operator or both shall immediately give and thereafter maintain proof of financial responsibility.

Further amend the bill by striking out section 10 and substituting therefor the following:

10. *Suspension, Duration.* The suspension required in section 6 shall remain in effect, the motor vehicle, trailer or semi-trailer in any manner involved in such accident shall not be registered in the name of any person, and no other motor vehicle, trailer or semi-trailer shall be registered in the name of such person nor any new licenses issued to such person unless and until he has obtained a release or a judgment in his favor in an action at law to recover damages for damage to property or the death of or bodily injury to any person resulting from such accident or unless he shall have satisfied in the manner hereinafter provided any judgment rendered against him in such an action, and at all events gives and thereafter maintains proof of his financial responsibility. If the aggrieved or injured person or his legal representative shall not have brought suit within one year from the date of the accident then the commissioner, upon receiving reasonable evidence of the fact, may, subject to the other requirements of the law, issue to such person a new license to operate and new registration certificates and registration plates provided he shall give and thereafter maintain proof of financial responsibility. A discharge in bankruptcy shall not relieve the judgment debtor from any of the requirements of this act.

Further amend the bill by striking out section 16 and substituting therefor the following:

16. *Policy, Form.* No motor vehicle liability policy, as defined in section 1, shall be issued or delivered in the state until a copy of the form of the policy has been on file with the insurance commissioner for at least thirty days, unless, before the expiration of said period, said commissioner shall have approved the form of the policy in writing, nor if said commissioner notifies the company in writing that, in his opinion, the form of said policy does not comply with the laws of the state, provided that he shall notify the company in writing within said period of his approval or disapproval

thereof. Said commissioner shall approve a form of policy which contains the name, address and business of the insured, a description of the motor vehicles and trailer or semi-trailers covered, with the premium charges therefor, the policy period, the limits of liability, and an agreement that insurance is provided in accordance with and subject to the provisions of this act.

Further amend the bill by adding at the end of section 17 the following new paragraph:

V. Damages shall not be assessed except by special order of the court in an action of tort, payment of the judgment wherein is secured by a motor vehicle liability policy or a motor vehicle liability bond, as defined in section 1, and wherein the defendant has been defaulted for failure to enter an appearance until the expiration of thirty days after the plaintiff has given notice of such default to the company issuing or executing such policy or bond, and has filed an affidavit thereof. Such notice may be given by mailing the same, postage prepaid, to the said company or to its agent who issued or executed such policy or bond. Upon receipt of information and having become satisfied that the insured has failed to comply with the terms of his policy in regard to notice to the company of an accident, the commissioner shall revoke his license and registration for such period as the commissioner shall determine.

Further amend the bill by striking out section 21 and substituting therefor the following:

21. *Alternate Methods of Giving Proof.* Proof of financial responsibility when required under this act may be given by either of the following methods: I. By filing with the commissioner a certificate, as defined in section 1, of an insurance company or of a surety company; or II. By the deposit of money or securities as provided in the following section; or III. By satisfying the commissioner that any corporation has financial ability to comply with the requirements of this act.

Further amend the bill by striking out section 25 and substituting therefor the following:

25. *Operating Without Giving Proof When Proof Required.* Any person whose operator's or chauffeur's license or registration certificates or other privilege to operate a motor vehicle, trailer or semi-trailer has been suspended or revoked, restoration thereof or the issuance of a new license or registration being contingent upon the furnishing of security or proof of financial responsibility, and who during such suspension or revocation or in the absence of full authorization from the commissioner shall drive any motor vehicle, trailer or semi-trailer upon any highway or knowingly permits any motor vehicle, trailer or semi-trailer owned by such person to be operated by another upon any highway, except as permitted hereunder, shall be imprisoned for not more than six months or fined not more than five hundred dollars, or both.

The report was accepted.

On motion of Senator Wilson, the bill with the accompanying report was laid on the table and made a special order for Thursday morning, June 10, at 11:01 o'clock.

Senator Calef presented the following report:

The Committee of Conference, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, report the same with the recommendation that the Senate recede from its position in adopting its amendment and that the House recede from its position in adopting its amendment and adopt the following amendment:

Amend said resolution by striking out the word "Thornton" in line 14 and inserting in its place the word, Waterville, so that said resolution as amended shall read as follows:

That the sum of twenty four hundred eighty dollars ($2,480.00) be and the same is hereby appropriated to Plymouth Guaranty Savings Bank, in trust nevertheless for the

purpose of investing and reinvesting the same and paying weekly from said principal sum and the interest accumulated thereon six dollars ($6.00) to Minnie Dolloff and four dollars ($4.00) to Donna Dolloff, her daughter, both of Thornton; the appropriation hereby granted be a settlement in full for the death of Edwin Dolloff of the town of Thornton who died as a result of an accident while building a state aid road in the town of Waterville. Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the town of Waterville, to be expended as follows: four hundred dollars ($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth. Said sums herein appropriated shall be a charge upon the highway funds.

ROBERT O. BLOOD,
AUSTIN L. CALEF,
Senate Conferees.

ROBERT H. SANDERSON,
CHARLES E. MAGOON,
A. RALPH ESTABROOK,
House Conferees.

On motion of Senator Blood, the Senate voted to adopt the report.

Senator Cole presented the following report:

The Committee on Conference, to whom was referred House Bill No. 6, An act relating to taking of raccoon, report the same with the recommendation that the Senate recede from its position in adopting its amendment, that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 3, chapter 200 of the Public Laws, as amended by section 4, chapter 124 of the Laws of 1935,

by striking out the whole of said section and inserting in place thereof the following:

3. *Raccoons.* Raccoons may be taken and possessed with the aid or by the use of a dog and gun in Grafton County from October fifteen to December first, and in all the other counties of the state from October first to December first, and by the use of traps from November first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre long, or a pistol or revolver larger than thirty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

WILLIAM M. COLE,
C. A. ALLEN,
Senate Conferees.

ELIHU T. ADAMS,
JOSEPH A. DuBOIS,
BERNADETTE E. CHAROIS,
House Conferees.

On a *viva voce* vote the report was adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

House Bill No. 462, An act relating to bridges on the secondary system of highways.

House Bill No. 479, An act relative to the issue of notes by the county of Merrimack.

HAVEN DOE,
For the Committee.

INTRODUCTION OF BILLS

Senator Cole under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

On motion of Senator Hanson, the order whereby the above entitled bill was referred to the Committee on Judiciary was vacated and the bill referred to the Committee on Transportation.

Senator Hanson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Transportation:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

On motion of Senator Blood, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Burque, the Senate adjourned.

THURSDAY, JUNE 10, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Cole was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 389, An act relative to the taxation of legacies and successions.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law.

House Bill No. 464, An act authorizing town, cities and other municipal corporations to accept the Workman's Compensation provisions of Chapter 178 of the Public Laws.

House Bill No. 465, An act enlarging the scope of the Employer's Liability and Workmen's Compensation Law.

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 108, An act legalizing certain town meetings held in the town of Boscawen.

Senate Bill No. 113, An act relative to temporary number plates for motor cycles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its

adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 432, An act to establish a water control commission.

Amend section 14 of said bill by inserting before the word "water" in the second line the words, high or low.

Amend section 49 of said bill by striking out the words "the commission" in the fifth and sixth lines.

Amend section 57 of said bill by striking out the word "order" in the fourth line and inserting in place thereof the word, request: and by striking out the words "the order" at the end of said section and inserting in place thereof the words, such request.

Amend section 58 of said bill by striking out the word "order" in the first line and inserting in place thereof the word, request.

Amend section 73 of said bill by striking out the words, order issued under section 57 hereof or.

Amend section 100 of said bill by adding at the end thereof the words, which funds, for the purposes hereof shall not lapse until July 31, 1939.

Amend section 101 of said bill by striking out the first three lines and inserting in place thereof the following:

101. *Towns May Acquire.* Amend section 4 of chapter 42 of the Public Laws by inserting after paragraph XXVI the following new paragraph: XXVI-a. *Acquire Dams.*

On motion of Senator Doe, the Senate voted to concur

in the amendments offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the town of Hampton, and asks for a Committee of Conference.

The Speaker has appointed as members on such committee on the part of the House, Messrs. Adams of Seabrook, Creighton of Hampton Falls and Wadleigh of Milford.

On motion of Senator Conner, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Ways and Means,

House Bill No. 389, An act relative to the taxation of legacies and successions.

To the Committee on Labor,

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law,

House Bill No. 464, An act authorizing town, cities and other municipal corporations to accept the Workman's Compensation provisions of Chapter 178 of the Public Laws,

House Bill No. 465, An act enlarging the scope of the Employer's Liability and Workman's Compensation Law.

To the Committee on Finance,

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom were referred:

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

House Bill No. 472, An act authorizing the County of Coos to reimburse the Town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the Town of Effingham to issue refunding notes or bonds.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 16, An act relating to hunting of deer, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by inserting before the word "Coos" in the eleventh line of section 1, the word, Carroll, so that said section 1, as amended, shall read as follows:

1. *Wild Deer.* Amend section 2 of chapter 198 of the Public Laws, as inserted by section 2, chapter 124, of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

2. *Taking, Time.* Wild deer, outside of private game preserves, may be hunted and taken after six a. m. and before five p. m. in the counties of Carroll, Coos and Grafton from November first to December first, and in all other counties in the state from December first to December sixteenth, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred Senate Bill No. 7, An act relating to liability for support of aged and dependent persons and the age limitation imposed for old age assistance, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Hamlin for the Committee on Revision of Laws, to whom were referred:

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Senate Bill No. 106, An act relating to municipal water works.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred Senate Bill No. 109, An act relative to the practice of optometry, having considered the same, report the same in Senate New Draft and recommend its passage.

The report was accepted, the bill in new draft was read a first and second time and laid on the table to be printed.

On motion of Senator Hamlin the bill with the accompanying report was made a special order for Wednesday, June 16th, at 11:01 o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred House Bill No. 78 (in new draft), An act relating to alimony, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

The report was accepted.

Amend section 1 of the bill by inserting after the word "at" in line 16 the words, "any time after;"

Further amend section 1 of the bill by inserting after the word "order" in line 17 before the word "petition" the words, "renewal or extension thereof;"

Further amend section 1 of the bill by inserting after the word, "years" in line 19 the words, "at any one time," so that said section as amended shall read as follows:

1. *Alimony; Period of Payment.* Amend section 16 of chapter 287 of the Public Laws by adding after the words "as may be deemed just" in line four the words, except that in cases in which no children are involved, or in which the children have reached the age of majority said order shall be effective for no more than three years consecutively, provided however that the party in whose favor the order is made may, at the expiration of any order, petition the court for an extension of said order and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years, so that said section as amended shall read as follows:

16. *Alimony, Etc.* Upon a decree of nullity of divorce, the court may restore to the wife all or any part of her estate, and may assign to her such part of the estate of her husband, or order him to pay such sum of money, as may be deemed just, except that in cases in which no children are involved, or in which the children have reached the age of majority said order shall be effective for no more than three years consecutively, provided however that the party in whose favor the order is made may, at any time after the expiration of any order, renewal or extension thereof, petition the court for an extension of said order,

and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years at any on time; and may compel the husband to disclose under oath, the situation of his property; and before or after the decree, may make such orders and use such process as may be necessary.

Amend section 2 of the bill by inserting after the word "at" in line 33 the words, "any time after," and after the word, "order" before the word, "petition," the words "renewal or extension thereof." Further amend said section by inserting after the word, "years," in line 36 the words, "at any one time," so that said section as amended shall read as follows:

2. *Legal Separation; Duration of Order of Payment.* Further amend chapter 287 of the Public Laws by adding after section 25 a new section 25-A to read as follows:

25-A. *Orders of Payment.* In any case arising under sections 24 and 25 of this chapter in which no children are involved or in which the children have reached the age of majority and in which an allowance for separate maintenance or temporary alimony is made and the party in whose favor the allowance is made received the allowance for three years consecutively, or a fraction, the party shall not be entitled to further separate maintenance or temporary alimony against the same spouse, except for such portion of the three years as remains unexpired, provided however that the party in whose favor the order is made may at any time after the expiration of any order, renewal or extension thereof, petition the court for an extension of said order and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years at any one time.

Senator Hamlin explained to the Senate the changes involved and moved that further reading of the amendments be dispensed with.

On a *viva voce* vote the amendments were adopted and

the bill ordered to a third reading this afternoon at two o'clock.

COMMITTEE OF CONFERENCE REPORT

Senator Conner presented the following report:

The Committee of Conference, to whom was referred House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, report the same with the recommendation that the House recede from its position in adopting its amendment and adopt the amendment sent down by the Honorable Senate.

ARTHUR J. CONNER,
EMMET J. KELLY,
Senate Conferees.

H. H. HART,
ALBERT S. BAKER,
RAOUL L. RAMSEY,
House Conferees.

On a *viva voce* vote the report was adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 90, An act relative to exceptions to the law regarding one day rest in seven.

Senate Bill No. 108, An act legalizing certain town meetings in the town of Boscawen.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

Senate Bill No. 113, An act relative to temporary plates for motor cycles.

House Bill No. 121, An act relating to sending of presidential check-lists to state library.

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

House Bill No. 400, An act relative to the improvement

of the approaches to the General John Sullivan and Alexander Scannell bridges.

House Bill No. 448, An act in relation to the powers and duties of the public service commission in regard to railroad crossings.

House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds.

HAVEN DOE,
For the Committee.

SPECIAL ORDER

Senator Wilson called for the special order, it being the adoption of the amendment offered by the Committee on Judiciary to Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

The question being stated.

Shall the amendments be adopted?

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading this afternoon at two o'clock.

ORDER VACATED

On motion of Senator Hamlin, the order whereby Senate Bill No. 5, An act relating to employers' liability and workmen's compensation, was ordered to the Committee on Revision of Laws was vacated and the bill referred to the Committee on Labor.

On motion of Senator Blood the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed:

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

House Bill No. 472, An act authorizing the County of Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

House Bill No. 16, An act relating to hunting of deer.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Senate Bill No. 106, An act relating to municipal water works.

House Bill No. 78 (in new draft), An act relating to alimony.

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

On motion of Senator Moran, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Eames, the Senate adjourned.

FRIDAY, JUNE 11, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 11, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JUNE 14, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 14, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JUNE 15, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. N. Parsons.

READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred to a Joint Committee on Claims and Finance, House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

COMMITTEE REPORTS

Senator Morris for the Committee on Judiciary, to whom was referred House Bill No. 470, An act authorizing the Town of Unity to issue refunding notes or bonds, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 6, An act relating to taking of raccoon.

House Bill No. 59, An act relating to permits for entries to private cemeteries.

House Bill No. 432, An act to establish a water control commission.

House Bill No. 472, An act authorizing the county of

Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

House Joint Resolution No. 105, Joint resolution in favor of Peter LaJoie.

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

HAVEN DOE,
For the Committee.

COMMITTEE OF CONFERENCE APPOINTMENT

Pursuant to a vote taken by the Senate for a Committee of Conference at the request of the House of Representatives on House Bill No. 442, An act to grant planning and zoning powers to the Hampton Village District in the town of Hampton, the President appointed as members on the part of the Senate Senators Wilson and Doe.

INTRODUCTION OF BILLS

Senator Doe under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time and laid on the table to be printed.

Senate Bill No. 127, An act to amend Chapter 284 of the Public Laws relating to the sale of securities.

Senator Doe moved that the rules be suspended, printing and reference to committee be dispensed with and the foregoing entitled bill be read a third time and passed.

(Discussion ensued)

On a *viva voce* vote Chair in doubt.

Chair requests a division.

Twelve Senators having voted in the affirmative and eight in the negative, the motion to suspend the rules was lost, two-thirds being required to suspend the rules, and the bill

was laid on the table to be printed and referred to the Committee on Revision of Laws.

Senator Wilson, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

House Bill No. 470, An act authorizing the Town of Unity to issue refunding notes or bonds.

On motion of Senator Eastman, the Senate adjourned.

WEDNESDAY, JUNE 16, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills and joint resolution:

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary Hunt Home for aged women.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 78 (in new draft), An act relating to alimony.

COMMITTEE REPORTS

Senator Moran for the Committee on Claims, to whom were referred:

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions referred to the Committee on Finance under the rules.

Senator Freeman for the Committee on Liquor Laws, to whom was referred House Bill No. 411, An act providing for special grill room licenses to first class hotels, having considered the same, report the same without amendment and recommend that the bill ought to pass.

The report was accepted.

The question being on the adoption of the recommendation of the committee.

On a *viva voce* vote the negative prevailed.

Senator Mahoney demanded a roll call.

Senator Hamlin moved that the bill with the accompanying report be indefinitely postponed.

(Discussion ensued)

Senator Hamlin withdrew his motion.

Senator Mahoney withdrew his demand for a roll call.

On a *viva voce* vote the recommendation of the committee was adopted.

Senator Hanson offered the following amendment:

Amend section 1 of the bill by inserting after the word "hotel" in the tenth line the following, registered for food or lodging; so that said section as amended shall read:

1. *First Class Licenses.* Amend chapter 3 of the Laws of the Special Session of 1934 by inserting after section 20 the following new section: 20-a. *Special Grill Room Licenses.* The commission may issue a special grill room license to any first class hotel which has qualified as such under the provisions of section 19 hereof, as amended by chapter 131 of the Laws of 1935, which special license shall entitle the licensee to serve liquor or beverages to guests of the hotel registered for food or lodging in a grill room upon the payment of an additional license fee of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) per year, the amount of the fee to be fixed by the commission. The commission shall have authority to grant, regulate, suspend, or revoke said special licenses without affecting any other licenses that may have been granted to said hotel for the sale of liquor or beverages. No such grill room shall have a door or entrance of any kind leading directly to or from any street, public way, or the outside of said hotel.

On a *viva voce* vote the negative prevailed and the amendment was rejected.

Senator Hamlin moved that the bill be indefinitely postponed.

(Discussion ensued)

The question being stated.

Shall the bill be indefinitely postponed?

With that question pending Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Hamlin, Hanson, Heald, Eastman, Blood, Doe, Calef and Connor.

The following named Senators voted in the negative: Senators Kelley, Eames, Stafford, Freeman, Randall, Burque, Wilson, Mahoney, Moran, Daniel, Cole and Allen.

Eleven Senators having voted in the affirmative and twelve Senators in the negative, the negative prevailed and the motion to indefinitely postpone was lost, and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Moran for the Committee on Public Health, to whom was referred House Bill No. 264 (in second new draft), An act to regulate the practice of barbering, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the recommendation of the committee adopted.

The bill being still on its second reading and open to further amendment, Senator Eastman offered the following amendment.

Amend section 23 of the bill by striking out the word, "one" in line 3 and substituting in place thereof the word, "two," so that said section as amended shall read as follows:

23. This act shall be in effect as hereinafter provided in all cities and towns of two thousand or more inhabitants and may be made effective in other towns by vote of a majority of the voters present at any regular election or regularly called town meeting in the warrant for which this question is included.

On a *viva voce* vote the negative prevailed and the amendment was not adopted.

The bill was referred to the Committee on Finance under the rules.

Senator Burque for the Committee on Ways and Means,

to whom was referred House Bill No. 389, An act relative to the taxation of legacies and successions having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of chapter 72 of the Public Laws as amended by chapter 130 of the laws of 1935:

1. *Taxable Property Rate.* All property within the jurisdiction of the state real or personal, and any interest therein, belonging to inhabitants of the state, and all real estate within the state, or any interest therein, belonging to persons who are not inhabitants of the state, which shall pass by will or by the law regulating interstate succession, or by deed, grant, bargain, sale or gift made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person absolutely, or in trust, shall be subject to a tax at three per cent of its value, for the use of the State.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORT

Senator Hamlin under a suspension of the rules introduced a committee report not previously advertised in the Journal.

Senator Hamlin for the Committee on State House and State House Yards, to whom was referred Senate Bill No. 11, An act to provide for the erection of a State Office Building in Concord, having considered the same, report the same in new draft and recommend its passage.

The report was accepted, recommendation of the committee adopted, the new draft read twice and laid on the table to be printed, and referred to the Committee on Finance under the rules.

SPECIAL ORDER

Senator Hamlin called for the special order, it being Senate Bill No. 109 (Senate New Draft), An act relative to the practice of optometry.

The question being stated:

Shall the bill be read a third time?

Senator Eastman moved that the bill be indefinitely postponed.

(Discussion ensued)

Senator Eastman demanded a roll call.

The question being stated:

Shall the bill be indefinitely postponed?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Simpson, Guyer, Stafford, Randall, Eastman, Mahoney, Daniel, Doe, Calef, Conner and Allen.

The following named Senators voted in the negative: Senators Hamlin, Freeman, Hanson, Heald, Burque, Blood, Wilson, Moran, and Cole.

Fourteen Senators having voted in the affirmative and nine in the negative, the affirmative prevailed and the bill was indefinitely postponed.

On motion of Senator Hamlin the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 411, An act providing for special grill room licenses to first class hotels.

House Bill No. 389, An act relative to the taxation of legacies and successions.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, JUNE 17, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes.

House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes and to

enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

The message further stated that the House of Representatives has passed the following entitled joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford.

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

RECONSIDERATION

On motion of Senator Cole, the rules were so far suspended as to allow a reconsideration of the vote on House Bill No. 411, An act providing for special grill room licenses to first class hotels.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

Senator Cole moved that the Senate reconsider the vote

whereby the amendment offered by Senator Hanson was rejected.

On a *viva voce* vote the Chair was in doubt.

Senator Cole requested a division.

Fifteen Senators having voted in the affirmative and six in the negative, the affirmative prevailed and the Senate voted to reconsider their vote on the amendment.

Senator Hanson offered the following amendment.

Amend section 1 of the bill by inserting after the word "hotel" in the tenth line the following, registered for food or lodging; so that said section as amended shall read:

1. *First Class Licenses.* Amend chapter 3 of the Laws of the Special Session of 1934 by inserting after section 20 the following new section: 20-a. *Special Grill Room Licenses.* The commission may issue a special grill room license to any first class hotel which has qualified as such under the provisions of section 19 hereof, as amended by chapter 131 of the Laws of 1935, which special license shall entitle the licensee to serve liquor or beverages to guests of the hotel registered for food or lodging in a grill room upon the payment of an additional license fee of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) per year, the amount of the fee to be fixed by the commission. The commission shall have authority to grant, regulate, suspend, or revoke said special licenses without affecting any other licenses that may have been granted to said hotel for the sale of liquor or beverages. No such grill room shall have a door or entrance of any kind leading directly to or from any street, public way, or the outside of said hotel.

On a *viva voce* vote the Chair was in doubt.

Senator Hanson demanded a roll call.

The question being,

Shall the amendment be adopted?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Hamlin, Freeman, Han-

son, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef, Cole, Conner and Allen.

The following named Senators voted in the negative: Senators Kelley, Eames, Stafford, Burque, Mahoney, and Moran.

Sixteen Senators having voted in the affirmative and six in the negative, the affirmative prevailed, the amendment was adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

On motion of Senator Cole, the rules were further suspended and the bill was ordered to a third reading at the present time.

The question being,

Shall the bill pass?

Senator Kelley demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Simpson, Stafford, Freeman, Randall, Heald, Burque, Eastman, Blood, Wilson, Mahoney, Moran, Doe, Calef, Cole, Conner and Allen.

The following named Senators voted in the negative: Senators Guyer, Hamlin, and Hanson.

Nineteen Senators having voted in the affirmative and three in the negative, the affirmative prevailed and the bill passed.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Claims:

House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

To the Committee on Finance,

House Bill No. 466, An act to provide for co-operation

by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes.

House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on Education to whom was referred House Bill No. 161, An act creating a retirement system, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Randall for the Committee on Forestry, to whom was referred House Bill No. 87 (in new draft and new title), An act relating to the forestry and recreation commission, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Morris for the Committee on Judiciary, to whom was referred Senate Bill No. 102, An act to incorporate the John Crowther Foundation, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out section 4 and inserting in place thereof the following:

4. *Board of Trustees.* The selectmen of the town of Sunapee for the time being shall be deemed for the purposes of this act one ex-officio trustee, and the Roman Catholic Bishop of Manchester for the time being, if he so elects, shall appoint a representative who shall be deemed one ex-officio trustee. Said ex-officio trustees shall have no voice in the selection and election of other trustees. The business, property and affairs of said corporation shall be managed and controlled by a board of not more than seven trustees. The first board of trustees shall consist of the ex-officio trustees hereinbefore defined, Samuel Crowther, Mary Owens Crowther, Mary E. Ramsay and two others to be selected by the last three mentioned persons. Said additional trustees shall be elected at the organization meeting. Samuel Crowther, Mary Owens Crowther and Mary E.

Ramsay shall be trustees during their respective lifetimes with the sole right to select the two elective trustees. Upon the death of Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or any of them the vacancy thus created shall be filled by the other trustees, exclusive of the ex-officio trustees, by the nomination of the oldest descendant of said Samuel and Mary Owens Crowther, provided that no person shall be nominated who is not of the age of twenty-one years. The succession in the board of trustees shall be among the descendants of said Samuel and Mary Owens Crowther so long as there are such descendants, it being the intent and purpose of this act that three of said trustees shall be descendants of said persons so long as there are such descendants. Upon the decease of Samuel and Mary Owens Crowther, Mary E. Ramsay and the last descendants of said Samuel and Mary Owens Crowther the term of office of the elected member shall terminate and the board of trustees shall consist only of the ex-officio members hereinbefore defined who shall have full charge and control of all the affairs of said corporation. Vacancies in the office of the two elective trustees shall be filled by nomination by Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or by their successors.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary to whom were referred,

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the Charter of Lucy Hastings Hospital, Inc.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on the Judiciary, to whom was referred House Bill No. 471, An act changing

the name of Long Pond to Lake Winnetaucook, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Hanson for the Committee on Revision of Laws to whom was referred Senate Bill No. 127, An act to amend Chapter 284 of the Public Laws relating to the sale of securities, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

MAJORITY AND MINORITY REPORTS

A majority of the Committee on the Judiciary to whom was referred Senate Bill No. 119, An act to protect borrowers, having considered the same, report the same without amendment and recommend its passage.

WILLIAM M. COLE,
EMMET J. KELLEY,
LULA J. A. MORRIS,
ALLEN M. FREEMAN,
For a Majority of the Committee.

A minority of the Committee on the Judiciary to whom was referred Senate Bill No. 119, An act to protect borrowers, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALLAN M. WILSON,
SCOTT S. SIMPSON,
HAVEN DOE,
For a Minority of the Committee.

The report of the majority was accepted.

Senator Wilson moved that the report of the minority,

inexpedient to legislate, be substituted for that of the majority ought to pass.

(Discussion ensued)

The question being stated,

Shall the report of the minority be substituted for that of the majority?

Senator Doe demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Simpson, Guyer, Randall, Heald, Eastman, Wilson, Moran, Doe, Calef, Conner and Allen.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Stafford, Alexander, Hamlin, Freeman, Hanson, Burque, Blood, Mahoney and Cole.

Eleven Senators having voted in the affirmative and twelve Senators in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated,

Shall the recommendations of the majority of the Committee be adopted?

On a *viva voce* vote the affirmative prevailed and the recommendations were adopted.

On motion of Senator Blood, the following amendment was adopted:

Amend said bill by inserting after section 5 the following new section:

Section 6. *Advertising.* Advertising shall be limited to a card in the public press or newspaper setting forth only the name and address of the company, the fact they make loans up to three hundred dollars, and the allowed rate of interest per month on the unpaid balance without other charges.

Further amend said bill by renumbering section 6 to read section 7.

and the bill as amended was ordered to a third reading this afternoon at two o'clock.

A majority of the Committee on Revision of Laws, to whom was referred Senate Bill No. 77, An act relating to witnesses, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

PHILIP C. HEALD,
GEORGE C. STAFFORD,
J. VINCENT MORAN.
For a Majority of the Committee.

A minority of the Committee on Revision of Laws, to whom was referred Senate Bill No. 77, An act relating to witnesses, having considered the same, report the same without amendment and recommend its passage.

HOWARD H. HAMLIN,
W. B. HANSON,
For a Minority of the Committee.

The report of the majority was accepted.

Senator Hamlin moved to substitute the minority report for that of the majority.

(Discussion ensued)

The question being stated,

Shall the report of the minority be substituted for that of the majority?

Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Hamlin, Hanson, Eastman and Cole.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Simpson, Guyer, Stafford, Freeman, Heald, Burque, Blood, Wilson, Mahoney, Moran, Doe, Calef, Conner and Allen.

Four Senators having voted in the affirmative and seventeen in the negative, the negative prevailed, and the motion to substitute was lost.

The question being,

Shall the resolution of the Committee, inexpedient to legislate, be adopted?

On a *viva voce* vote the resolution was adopted.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 119, An act to protect borrowers.

Senate Bill No. 127, An act to amend Chapter 284 of the Public Laws relating to the sale of securities.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

On motion of Senator Randall, the following resolution was adopted:

Resolved, that when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

Senator Mahoney desired to change his vote on Senate Bill No. 411, An act providing for special grill room licenses for first class hotels, he having voted in the negative at the roll call wished to change his vote to the affirmative.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, JUNE 18, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 18, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JUNE 21, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 21, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JUNE 22, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to the following house bill, House Bill No. 389, An act relative to the taxation of legacies and succession, and asks for a Committee of Conference. The Speaker has appointed as members of such committee on the part of the House Messrs. Sanborn of Wakefield, Hunter of Hanover and Osborne of Sunapee.

On motion of Senator Hamlin, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members of the Committee of Conference on the part of the Senate, Senators Wilson and Simpson.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Judiciary.

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

COMMITTEE REPORTS

Senator Stafford for the Committee on Transportation to whom was referred Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Stafford for the Committee on Transportation to whom was referred Senate Bill No. 126, An act relating to equipment of trailers and semi-trailers.

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937, by striking out said section and inserting in place thereof the following: 4-a. *Trailers and Semi-Trailers.* No motor vehicle trailer or semi-trailer whose gross weight is fifteen hundred pounds or more shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control such vehicle at all times when the said vehicle is in use.

The report was accepted, the amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Stafford for the Committee on Transportation, to whom was referred House Bill No. 453, An act relative to non-resident truck owners,

Having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the recommendation of the committee adopted.

Senator Freeman for the Committee on Insurance, to whom was referred House Bill No. 204 (in new draft and with new title), An act relating to liability insurance.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 184, An act to regulate the keeping of live wild animals.

Having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Blood for the Committee on Finance, to whom was referred House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend said resolution by adding at the end thereof the words, and shall be in full settlement of said claims, so that said resolution as amended shall read as follows:

That the sum of two hundred forty-eight dollars ($248) be allowed the Nashua Hospital Association and two hundred forty-five dollars ($245) be allowed Dr. Paul DeNicola, for hospital and doctor's bills arising from injuries sustained by John W. Hyland of Concord from an accident which occurred on the state highway in the town of Pembroke on or about August 27, 1936. Said sums appropriated shall be a charge upon the highway funds and shall be in full settlement of said claims.

The report was accepted, amendment adopted and the joint resolution as amended ordered to a third reading this afternoon at two o'clock.

Senator Blood for the Committee on Finance, to whom was referred House Bill No. 254 (in second new draft), An act creating a department of state police,

Having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 13 of said bill by inserting before the

word "shall" in the fourth line the words, the superintendent; inserting before the word "have" in the sixth line the words, police employees shall; and further amend said section by striking out the words "such employees" in the thirteenth and fourteenth lines and inserting in place thereof the words, the superintendent, so that said section as amended shall read as follows:

13. *Authority and Duties of Police Employees.* Police employees shall be *ex-officiis* constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto and the superintendent shall report to the commissioner of motor vehicles all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the superintendent shall immediately make a report to the solicitor and the sheriff of the county in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the co-operation of said police employees.

Amend section 14 of said bill by striking out the same and inserting in place thereof the following:

14. *Power to Take Identification Data.* The employees shall have authority to take fingerprints and, in addition thereto, such identification data as shall be prescribed by the superintendent of all persons taken into custody by them in the discharge of their duties.

The report was accepted and amendment adopted.

The bill being still on its second reading and open to further amendment, Senator Daniel offered the following amendment:

Amend section 4 of the amendment by adding after the word "United States" in line 2 of the printed amendments the words, and the state of New Hampshire, so that said amendment as amended shall read as follows:

4. *Qualifications of Superintendents, Salaries.* Superintendents shall be a citizen of the United States and a resident of the state of New Hampshire, and have had experience in investigation of crime and criminal prosecution at the time of his appointment. Said superintendent shall give bond in such sum as the Governor and Council may determine for the faithful discharge of his duties. The annual salary of said superintendent shall be four thousand dollars.

(Discussion ensued)

The question being,

Shall the amendment be adopted?

Senator Daniel demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Hamlin, Burque, Eastman, Mahoney and Daniel.

The following named Senators voted in the negative: Senators Morris, Eames, Simpson, Guyer, Stafford, Freeman, Hanson, Randall, Heald, Blood, Wilson, Doe, Calef, Cole, Conner and Allen.

Five Senators having voted in the affirmative and sixteen in the negative, the negative prevailed and the amendment was not adopted, and the bill was ordered to a third reading at two o'clock this afternoon.

Senator Heald for the Committee on Labor, to whom was referred Senate Bill No. 95, An act relative to unemployment compensation, having considered the same, reported

the same with the following amendments and recommend that the bill as amended ought to pass.

The report was accepted.

Amend sub-section A of section 1 of the bill by striking out the same and inserting in place thereof the following:

A. "Base Period," means the period beginning with the first day of the five completed calendar quarters immediately preceding the first day of an individual's benefit year and ending with the last day of the next to the last completed calendar quarter immediately preceding the first week of any benefit year with respect to which benefits are payable.

Amend section 6, sub-section C, of Senate Bill No. 95 by striking out the words "in excess of one per centum of his annual pay roll for each calendar year," at the end of the first sentence in said section, so that said section as amended shall read as follows:

C. *Separate Accounts.* The commissioner shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this Act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount hereinafter provided against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately preceding the first week of any continuous period of unemployment, wages for employment by such most recent employer equal to more than 16 times his weekly benefit amount, such benefits may also be charged against the account of his next most recent employer, in the inverse chronological order in which the employment of such individual occurred. The

maximum amount so charged against the account of any employer shall not exceed one-sixth of the wages payable to such individual by each such employer for employment which occurs on and after the first day of such individual's base period, but not more than $65 per completed calendar quarter or portion thereof, which occurs within such base period; but nothing in this section shall be construced to limit benefits payable pursuant to section 2 of this chapter. The commissioner shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

Amend sub-section G of section 9 of the bill by inserting after the words "appeal tribunal" in the eighteenth line of said sub-section the words "or the commissioner"; so that said sub-section G as amended shall read:

G. *Records and Reports.* Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his authorized representatives at any reasonable time and as often as may be necessary. The commissioner and the chairman of any appeal tribunal may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which either of them deems necessary for the effective administration of this chapter. Information thus obtained or obtained from any individual pursuant to the administration of this chapter shall be held confidential and shall not be published or be open to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the individual's or employing unit's identity, but any claimant (or his legal representative) at a hearing before an appeal tribunal or the commissioner shall be supplied with information from such records to the extent necessary for the proper presentation of his

claim. Any employee or member of an appeal tribunal or any employee of the commissioner who violates any provision of this section shall be fined not less than $20 nor more than $200, or imprisoned for not more than ninety days, or both.

On motion of Senator Heald, the rules were suspended and further reading of the amendments was dispensed with.

On a *viva voce* vote the amendments were adopted.

The bill being on its second reading and open to further amendment, Senator Heald offered the following amendments:

Amend Senate Bill No. 95 by inserting after line 684, the following new sub-section 6-F. *Contribution by Workers.* (1) Each worker shall contribute to the fund one-half of one per centum of his wages paid by an employer with respect to his employment which occurs after January 1, 1936, and one per centum with respect to employment after January 1, 1937, and after such employer has satisfied the conditions with respect to becoming an employer. Each employer shall withhold in trust the amount of his workers' contributions from their wages at the time such wages are paid, shall show such deduction on his payroll records, shall furnish such evidence thereof to his workers as the commissioner may prescribe, and shall transmit all such contributions, in addition to his own contributions, to the commssioner in such manner and at such times as the commissioner may prescribe. If any employer fails to deduct the contributions of any of his workers at the time their wages are paid, or fails to make a deduction therefor at the time wages are paid for the next succeeding payroll period, he alone shall thereafter be liable for such contributions, and for the purposes of section 11 hereof, such contributions shall be treated as employer's contributions required from him. As used in this chapter, except when the context clearly requires otherwise, the term "contribu-

tions" shall include the contributions of workers pursuant to this section.

(2) If an individual does not receive any wages from the employing unit which for the purposes of this chapter is treated as his employer, or receives his wages from some other employing unit, such employer shall nevertheless be liable for such individual's contributions in the first instance; and after payment thereof such employer may deduct the amount of such contributions from any sums payable by him to such employing unit, or may recover the amount of such contributions from such employing unit or in the absence of such an employing unit, from such individual, in a civil action for debt, provided proceedings therefor are instituted within six months after the date on which such contributions are payable. The commissioner shall prescribe rules whereby such an employing unit may recover the amount of such contributions from such individuals in the same manner as if it were the employer.

(3) Every employing unit which files an election to become an employer subject to this chapter or to cease to be an employer subject to this chapter, pursuant to the provisions of section 7, shall post and maintain printed notices of such election on his premises, of such design, in such numbers, and at such places as the commissioner may determine to be necessary to give notice thereof to persons in his service. Individuals in the employ of any employing unit which files an election to become an employer subject to this chapter shall be given a reasonable opportunity to file objections thereto or be heard thereon prior to the commissioner's approval of such election.

(4) Contributions by workers, payable to the commissioner as herein provided, shall be exempt from garnishment, attachment, execution, or any other remedy for the collection of debts.

(5) For the purposes of the subsection, the term "wages" shall not include wages in excess of $3,000 payable

by an employer to any individual for employment during any calendar year.

Amend Senate Bill No. 95 by striking out the figures 1.8 in section 6 B (2) of said bill and inserting in place thereof the figure 2. Further amend said bill by striking out the figures 2.7 in section 6 B (3) of said bill and inserting in place thereof the figure 3, so that said section 6 B shall read as follows: B. *Rate of Contribution.* Each employer shall pay contributions equal to the following percentages of wages payable by him with respect to employment: (1) 1 per centum with respect to employment during the calendar year 1936; (2) 2 per centum with respect to employment during the calendar year 1937 subsequent to the effective date hereof; (3) With respect to employment after December 31, 1937, 3 per centum, except as otherwise prescribed in subsection E of this section.

Further amend said Senate Bill No. 95 by striking out the figures 2.7 in section 6 E (1) of said bill and inserting in place thereof the figure 3, so that said section 6 E (1) shall read as follows: (1) Each employer's rate shall be 3 per centum, except as otherwise provided in the following provisions. No employer's rate shall be less than 3 per centum unless and until there shall have been three calendar years throughout which any individual in his employ could have received benefits if eligible.

Further amend said Senate Bill No. 95 by striking out the figures 2.7 where they appear in section 6 E (3) of said bill and substituting in place thereof the figure 3, so that said section as amended shall read as follows: (3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 3 per centum, unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such

time were at least twice the total benefits paid from the fund within such last preecding year.

Amend subsection D of section 2 of Senate Bill No. 95 by striking out the figure 16 where it appears in line 297 of said bill and substituting in place thereof the figure 18, and by striking out the words "one-sixth" in lines 291 and 298 of said bill and by substituting in place thereof the words "one-fifth", so that said section as amended shall read as follows: D. *Duration of Benefits.* The commissioner shall compute wage credits for each individual by crediting him with the wages earned by him for employment by employers during each quarter, or $390, whichever is the lesser. Benefits paid to any eligible individual shall be charged, in the same chronological order as such wages were earned, against one-fifth of his wage credits which are based upon wages earned during his base period and which have not been previously charged hereunder. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed whichever is the lesser of (1) 18 times his weekly benefit amount, and (2) one-fifth of such uncharged wage credits with respect to his base period.

Amend subsection C of section 6 of Senate Bill No. 95 by striking out the figure 16 where it appears in line 606 of said bill and substituting in place thereof the figure 18, and by striking out the words "one-sixth" in line 612 of said bill and substituting in place thereof the words "one-fifth" and by striking out the figure 65 in line 615 of said bill and substituting in place thereof the figure 78, so that said section as amended shall read as follows: C. *Separate Accounts.* The commissioner shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf in excess of one per centum of his annual pay roll for each calendar year. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his

own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount hereinafter provided against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately preceding the first week of any continuous period of unemployment, wages for employment by such recent employer equal to more than 18 times his weekly benefit amount, such benefits may also be charged against the account of his next most recent employer, in the inverse chronological order in which the employment of such individual occurred. The maximum amount so charged against the account of any employer shall not exceed one-fifth of the wages payable to such individual by each such employer for employment which occurs on and after the first day of such individual's base period, but not more than $78 per completed calendar quarter or portion thereof, which occurs within such base period; but nothing in this section shall be construed to limit benefits payable pursuant to section 2 of this chapter. The commissioner shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

(Discussion ensued)

The question being on the adoption of the amendments.

Senator Mahoney demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Simpson, Guyer, Alexander, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef and Conner.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Stafford, Hamlin, Freeman, Burque, Mahoney, Moran, Daniel, Cole and Allen.

Twelve Senators having voted in the affirmative and

twelve Senators in the negative, it being a tie vote, the amendments were not adopted.

The question being:

Shall the bill be read a third time?

Senator Heald demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Stafford, Freeman, Burque, Mahoney, Moran, Daniel, Cole and Allen.

The following named Senators voted in the negative: Senators Simpson, Guyer, Hamlin, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef, Conner and Alexander.

Eleven Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed and the bill was not ordered to a third reading.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILL

Senator Eames under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

RECONSIDERATION

Senator Doe moved that the Senate reconsider its vote whereby Senate Bill No. 95, An act relative to unemployment compensation, was refused a third reading.

Senator Blood demanded a roll call.

The question being:

Shall the Senate reconsider its vote?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Stafford, Hamlin, Freeman, Burque, Mahoney, Moran, Daniel, Cole and Allen.

The following named Senators voted in the negative: Senators Simpson, Guyer, Alexander, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef, and Conner.

Twelve Senators having voted in the affirmative and twelve Senators having voted in the negative, resulting in a tie vote, the motion to reconsider was lost.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 126, An act relating to equipment of trailers and semi-trailers.

House Bill No. 204 (in new draft and with new title), An act relating to liability insurance.

House Bill No. 184, An act to regulate the keeping of live wild animals.

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

House Bill No. 254 (in second new draft), An act creating a Department of State Police.

On motion of Senator Kelley the Senate adjourned.

WEDNESDAY, JUNE 23, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Guyer was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 409, An act relating to the lobster industry.

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides. The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill with amendment in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Amend section 1 by striking out in line eleven the words "of not less than nine months each," so that said section as amended shall read as follows:

1. *Practice of Medicine.* Amend section 10 of chapter 204 of the Public Laws by inserting after the word "school" in the ninth line the words, and has completed an internship, approved by the board, of not less than twelve months, so that said section as amended shall read as follows:

10. *Applicants.* The board shall admit to examination any applicant who pays a fee of twenty dollars and submits satisfactory evidence in writing, verified by oath if required, that he is more than twenty-one years of age, of good moral

character, has completed satisfactorily two years' work in college, or has a preliminary education considered and accepted by the board as fully equivalent, has studied the treatment of human ailments not less than four school years in a medical school maintaining at that time a standard satisfactory to the board, and has graduated from such school and has completed an interneship, approved by the board, of not less than twelve months. The provisions of this section may be suspended in whole or in part by order of the board on account of war or other threatened or existing national calamity.

On motion of Senator Blood, the Senate voted to concur in the amendment sent up from the House of Representatives.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Taxation of Personal Property.* Amend section 14 of chapter 60 of the Public Laws by inserting after paragraph IX, as inserted by chapter 38 of the Laws of 1933, the following new paragraph: X. *Domestic Rabbits.* Domestic rabbits of every description over two months old in excess of the aggregate value of fifty dollars.

On motion of Senator Heald, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to House Bill No. 411, An act providing

for special grill room licenses to first class hotels and asks for a Committee of Conference.

The Speaker has appointed as members of such committee on the part of the House Messrs. Bailey of Haverhill, Magoon of Littleton and Coakley of Concord.

On motion of Senator Freeman, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members on the part of the Senate Senators Freeman and Hanson.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Fisheries and Game:

House Bill No. 409, An act relating to the lobster industry.

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides.

COMMITTEE REPORTS

Senator Morris for the Committee on Judiciary, to whom was referred Senate Bill No. 105, An act relating to observance of the Lord's Day, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Freeman for the Committee on Liquor Laws, to whom was referred Senate Bill No. 50, An act relating to local option, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the recommendation of the committee adopted.

Senator Allen for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Allen for the Committee on Fisheries and Game, to whom was referred House Bill No. 167 (in new draft), An act relating to the taking of fish, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by inserting a new section 2 to read as follows:

2. Amend section 15 of chapter 201 of the Public Laws, as inserted by section 5 of chapter 124 of the Laws of 1935, by striking out the whole of said section 15 and inserting in place thereof the following: 15. *Smelt.* Fresh water smelt may be taken and possessed by means of a dip net, held in the hand, and for bait by means of a circular drop net not more than forty-eight inches in diameter. A person may take a total of not more than five pounds of fresh water smelt between twelve o'clock noon in one day and twelve o'clock noon the following day. They may be bought and sold only for use as bait.

Further amend the bill by re-numbering section 2 to read section 3.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Allen for the Committee on Fisheries and Game, to whom was referred House Bill No. 353 (in new draft), an act relating to fly fishing, having considered the same,

report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend paragraph 1, line 9 by adding after the word, "inlet" the words, "and tributaries," so that said paragraph as amended shall read as follows:

1. Armington lake in Piermont, Beaver Pond in Woodstock, Clarksville Pond in Clarksville, East Inlet and tributaries to Second Connecticut Lake in Pittsburg, Coon Brook Bog in Pittsburg, the Connecticut river from the First Connecticut Lake dam to the covered bridge at the Archie Heath place, so-called, in Pittsburg.

Further amend the bill by adding a new paragraph to be numbered VIII to read as follows:

VIII. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Blood for the Committee on Public Health, to whom was referred House Bill No. 52 (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Snator Blood for Joint Committee on Public Health, Judiciary and Finance, to whom was referred House Bill No. 277, An act relating to marriage, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend House Bill No. 277 by striking out all that fol-

lows the enacting clause thereof and substituting in place thereof the following:

Section 1. Amend chapter 286 of the Public Laws by adding the following new sections: 22a. No application for a marriage license shall be accepted by any town clerk until there shall be in the possession of such town clerk a statement or statements signed by a licensed physician that each applicant has submitted to a Wassermann or Kahn or other similar standard laboratory blood test and that, in the opinion of such physician, the person is not infected with syphilis or in a stage that may become communicable and such statements shall be accompanied by a record of the standard laboratory blood tests made, which record shall contain the exact name of such applicant. A standard laboratory blood test shall be a laboratory test for syphilis approved by the state department of health and shall be performed by said department on request of a licensed physician or at a laboratory approved by it, such test to be made not more than thirty days before the issuance of the marriage license. 22b. *Penalty.* Any person failing to comply with the provisions of the foregoing section shall forfeit sixty dollars for each such failure. The certificate filed with the city or town clerks shall not be considered as part of the marriage record but a confidential report.

Sect. 2. Amend section 24 of chapter 286 of the Public Laws by striking out the whole thereof and substituting in place of it the following: 24. *Shortening Period.* On application to a justice of the superior court, or judge of probate within the county where the proposed marriage is to be solemnized, the court for good cause shown may order that the period of five days provided in the preceding section be shortened as in the order provided and for like cause such judge may waive the provisions of section 22 as above.

Sect. 3. *Takes Effect.* This act shall take effect October 1, 1938.

The report was accepted.

The question being on the adoption of the amendments offered by the committee.

(Discussion ensued)

Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Eames, Simpson, (Senator Guyer paired with Senator Mahoney, Senator Guyer voting yes, Senator Mahoney voting no), Stafford, Freeman, Hanson, Heald, Burque, Blood, Wilson, Doe, Calef, Cole, Connor, and Allen.

The following named Senators voted in the negative: Senators Kelley, Hamlin, Eastman (Senator Mahoney paired with Senator Guyer, Senator Mahoney voting no and Senator Guyer voting yes), Moran and Daniel.

Fifteen Senators having voted in the affirmative and five Senators having voted in the negative, the affirmative prevailed, the amendments were adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Blood for the Joint Committee on Public Health and Finance, to whom was referred Senate Joint Resolution No. 8, Joint Resolution for a commission to study methods for the eradication of syphilis,

Having considered the same, report the same with the following amendments and recommend that the joint resolution as amended ought to pass.

Amend the resolution by inserting after the word, "in" in line 4 the words, "this and,"

Further amend the resolution by striking out the sentence beginning with the word, said, in the fifth line and inserting in place thereof the following: "Said commission shall file its report and recommendations with the Secretary of State on or before December 1, 1938, and a copy thereof shall be mailed to each person elected a member of the 1939 legislature and to such other persons as the Governor may

determine," so that said resolution as amended shall read as follows:

That the Governor is hereby authorized and directed to appoint a commission of seven members, at least four of whom shall be physicians, to make a study of the extent of the disease of syphilis in this state and elsewhere, and of the methods used in this and other states and foreign countries for the eradication of said disease. Said commission shall file its report and recommendations with the Secretary of State on or before December 1, 1938, and a copy thereof shall be mailed to each person elected a member of the 1939 Legislature and to such other persons as the Governor may determine. Said commission shall serve without compensation but shall be allowed a sum not to exceed five hundred dollars for expenses. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, amendments adopted and the joint resolution referred to the Committee on Finance under the rules.

On motion of Senator Doe, the rules were suspended, reference to the Committee on Finance dispensed with and the joint resolution as amended was ordered to a third reading this afternoon at two o'clock.

COMMITTEE OF CONFERENCE

The Committee of Conference to whom was referred House Bill No. 324, An act relating to payment of wages, report the same with the recommendation that the House recede from its position of non-concurrence and accept the amendments sent down by the Honorable Senate.

HERBERT E. SMITH,
PLACIDE J. LEGUEX,
Conferees on the part of the House.

HOWARD H. HAMLIN,
ROBERT O. BLOOD,
Conferees on the part of the Senate.

On a *viva voce* vote the report of the Committee of Conference was adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women.

Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford.

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

LULA J. A. MORRIS,
For the Committee.

INTRODUCTION OF BILL

Senator Heald under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 130, An act relative to non-resident circus motor vehicles.

Senator Daniel offered the following resolution and moved its adoption:

Whereas, in mountains, beach and lakes,
New Hampshire has all that it takes
To gain renown and tourists draw
Who say the like they never saw;

Whereas, this state gets revenue
From thousands who its charms will view
And more we need in future years
To balance books now in arrears;

Whereas, New Hampshire's legislature
Beats all the marvels found in nature,
Even Barnum's Jumbo in its size,
And fills the world with mute surprise;

Resolved: That we, the General Court,
Continue here to hold the fort
'Till Labor Day, that all may view
This wonder, and raise revenue.

(Discussion ensued)

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

Senate Bill No. 105, An act relating to observance of the Lord's Day.

Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster.

House Bill No. 167 (in new draft), An act relating to the taking of fish.

House Bill No. 353 (in new draft), An act relating to fly fishing.

House Bill No. 277, An act relating to marriage.

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

On motion of Senator Burque, the Senate adjourned.

THURSDAY, JUNE 24, 1937.

The Senate met according to adjournment.

Senator Doe in chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has accepted the report of the Committee of Conference to House Bill No. 324, An act relating to payment of wages.

The message further stated that the House of Representatives has passed the following entitled bills, in the passage of which it asked the concurrence of the Honorable Senate:

House Bill No. 356, An act relative to license fees for taking fish and game.

House Bill No. 480, An act relating to a state prison farm.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution and bill:

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

House Bill No. 254 (in second new draft), An act creating a Department of State Police.

The message further stated that the House of Represen-

tatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to House Bill No. 353 (in new draft) An act relating to fly fishing and asks for a Committee of Conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Adams of Seabrook, Dubois of Swanzey and Dempsey of Franklin.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members of the Committee on the part of the Senate Senators Cole and Hanson.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Fisheries and Game,

House Bill No. 356, An act relative to license fees for taking fish and game.

To the Committee on Finance,

House Bill No. 480, An act relating to a State Prison farm.

COMMITTEE REPORTS

Senator Heald for the Committee on Labor to whom were referred,

House Bill No. 464, An act authorizing town, cities and other municipal corporations to accept the Workmen's Compensation provisions of Chapter 178 of the Public Laws,

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law,

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance to whom was referred House Bill No. 402 (in new draft), An act creating a Probation Department, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and recommendation of the committee adopted.

The bill being still on its second reading and open to further amendment,

Senator Wilson offered the following amendment and moved its adoption:

Amend section 19 of the bill by striking out the word July and inserting instead thereof the word October, so that said section will read as follows:

19. *Takes Effect.* This act shall take effect October 1, 1937 and all acts or parts of acts inconsistent herewith are hereby repealed.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance to whom was referred House Bill No. 404, An act relating to neglected and delinquent children, having considered the same, reported the same without amendment and recommend their passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Burque for the Committee on Ways and Means to whom was referred House Bill No. 433 (in new draft), An act relative to athletic exhibitions, having considered

the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hanson for the Committee on Revision of Laws to whom was referred Senate Bill No. 121, An act in amendment of section 25-a of chapter 60 of the Public Laws relating to exemptions from taxation, having considered the same, reported the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole of said section and substituting therefor the following:

1. Amend section 25-a of chapter 60 of the Public Laws, enacted by chapter 148 of the Laws of 1931, by inserting at the end of said section the words, This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation; so that said section as amended shall read:

SECTION 1. The exemptions referred to in sections 22, 24 and 25 of this chapter, as regards real estate hereafter acquired by such institutions, shall apply only to subsequent improvements therein and thereon, and the real estate so acquired shall be assessed and taxed as other similar land and real estate in the vicinity is assessed and taxed. This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation.

Amend the title of the bill by striking out the whole of said title and substituting therefor the following: An act relating to Exemptions from Taxation.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORTS

Senator Calef moved the suspension of the rules to introduce the following committee reports not previously advertised in the Journal:

On Division vote, 16 Senators actually voting in the affirmative, the rules were suspended.

Senator Calef for the Committee on Finance to whom was referred Senate Joint Resolution No. 5, Joint resolution in favor of the Supreme Court, having considered the same, reported the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words and figures "seven thousand dollars ($7,000)" in the first line thereof, and substituting therefor the words and figures, two thousand two hundred and five dollars ($2,205); so that said joint resolution as amended will read as follows:

That the sum of two thousand two hundred and five dollars ($2,205) be and hereby is appropriated for carpets, painting and general repair of the rooms of the supreme court in the state library building and the governor is hereby authorized to draw his warrant for the payment of said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted, and the joint resolution as amended was ordered to a third reading this afternoon at two o'clock

Senator Calef for the Committee on Finance to whom was referred House Bill No. 419, An act to provide for cooperation with the United States Geological Survey in the establishment and maintenance of Stream Flow Gauging Stations and for an extension of time for use of funds ap-

propriated for the New Hampshire Water Resources Board, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance to whom was referred House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance to whom was referred House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted.

Senator Hamlin moved that the rules be suspended and the above entitled bill be made a special order for Tuesday, June 29th, at 11:01 o'clock.

With this motion pending, the Chair declared a recess.

(Recess)

The Senate re-assembled.

The President introduced the Honorable James E. Farley, Postmaster General of the United States, who addressed the Senate.

Senator Hamlin withdrew his motion for a special order and requested that House Bill No. 466 be laid on the table temporarily awaiting action upon House Bill No. 477.

The Senate unanimously granted his request.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 467, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, the State of Connecticut and the State of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and recommendation of the committee adopted.

The bill being on its second reading and open to further amendment, Senator Hamlin offered the following amendments:

Amend the bill by striking out the words "eight" and "eleven" in the first and second lines of page 8 of the bill and substituting therefor the words "seven" and "ten" respectively.

Futher amend the bill by striking out the word "three" at the beginning of paragraph 6 of Article IV of the compact, the same being in line 14 of page 9 of the bill, and substituting therefor the word "two".

Further amend the bill by striking out section 2 of paragraph 6 in said Article IV, which paragraph commences on the last line of page 9 of the bill.

Further amend the bill by renumbering section 3 of paragraph 6 of said Article IV to be section (2), said section (3) commencing at line 11 of page 10 of the bill.

(Discussion ensued)

The question being stated:

Shall the amendments be adopted?

On a *viva voce* vote, Senator Hamlin voting in the affirmative, the negative prevailed, and the amendments were not adopted, and the bill was ordered to a third reading this afternoon at two o'clock.

House Bill No. 466, An act to provide for co-operation by the State with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the States of Connecticut and Vermont and for other purposes, was then taken from the table.

The question being:

Shall the recommendation of the committee be adopted?

On a *viva voce* vote the recommendations were adopted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 476, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 254, An act creating a Department of State Police.

LULA J. A. MORRIS,
For the Committee.

RESOLUTIONS ADOPTED

On motion of Senator Blood, the following resolution was adopted:

Resolved, That for the remainder of the session all bills and resolutions shall be introduced through the Rules Committee of the Senate.

On motion of Senator Stafford, the following resolution was adopted:

Resolved, That the Senate give permission for the use of the Senate Chamber on Friday, June 25th, by a joint conference of the Milk Control Boards, Commissioners of Agriculture, representatives of Chambers of Commerce, dairymen, and others representing the States of Maine, Vermont and New Hampshire, who come by invitation of Governor Murphy to consider the advisability of establishing a Federal marketing agreement with the Boston Milk Shed.

INTRODUCTION OF BILL

Senator Wilson moved that the rules be suspended to introduce a bill through the Committee on Rules.

On a division vote, sixteen Senators having actually voted in the affirmative, the rules were suspended.

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Improvements:

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset River between Franklin and Hill.

Senator Guyer moved that the rules be suspended, printing and reference to committee dispensed with and the foregoing entitled bill be read a third time and passed.

On a division vote, sixteen Senators actually voting in the affirmative, the rules were suspended and the bill was read a third time and passed.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

Senate Bill No. 121, An act in amendment of section 25-a of chapter 60 of the Public Laws relating to exemptions from taxation.

House Bill No. 402 (in new draft), An act creating a Probation Department.

House Bill No. 404, An act relating to neglected and delinquent children.

House Bill No. 433 (in new draft), An act relating to athletic exhibitions.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law.

House Bill No. 464, An act authorizing towns, cities, and other municipal corporations to accept the Workingmen's Compensation provisions of chapter 178 of the Public Laws.

Senate Joint Resolution No. 5, Joint resolution in favor of the Supreme Court.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of Stream Flow Gauging Stations

and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Bill No. 475, An act to provide for co-operation by the State with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 466, An act to provide for co-operation by the State with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to entable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the States of Connecticut and Vermont and for other purposes.

House Bill No. 467, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, the State of Connecticut and the State of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 476, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

On motion of Senator Mahoney, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and

when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, JUNE 25, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 25, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JUNE 28, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., June 28, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JUNE 29, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Conner was granted leave of absence for the rest of the session on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 167 (in new draft), An act relating to the taking of fish.

COMMITTEE REPORTS

Senator Wilson for the Committee on the Judiciary, to whom was referred Senate Bill No. 107, An act relating to public welfare, having considered the same, report the same in new draft with the recommendation that the original bill and the new draft be referred to the Committee on Judiciary.

The report was accepted and the new draft was laid on the table to be printed and referred to the Committee on Judiciary.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Calef, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 87, An act relating to the forestry and recreation commission, having considered the

same, report the same without amendment and recommend its passage.

The report was accepted and recommendation of the committee adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 464, An act authorizing towns, cities and other municipal corporations to accept the workmen's compensation provisions of chapter 178 of the Public Laws, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Workmen's Compensation.* Amend chapter 178 of the Public Laws by inserting after section 4 the following new section:

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquistion of lands, easements and rights of way essential for flood control purposes and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "public" in the twenty-sixth line the word, use.

Amend section 2 of said bill by striking out the word and figure "article VI" in the eleventh line and inserting in place thereof the following: articles VI and VII.

On a *viva voce* vote the amendments were adopted and the

bill sent to the House of Representatives for concurrence in the Senate amendments.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 466, An act to provide for cooperation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "public" in the twenty-first line the word, use.

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first six lines and inserting in place thereof the following:

1. *Practice of Medicine.* Amend section 10 of chapter 204 of the Public Laws by striking out said section and inserting in place thereof the following:

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 419, An act to provide

for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 3 of said bill by inserting after the word and figure "chapter 121" in the fourth line the words and figures, for the purposes of chapter 133, Laws of 1937.

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 324, An act relating to payment of wages, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines thereof and inserting in place thereof the following:

1. *Wages.* Amend chapter 176 of the Public Laws by inserting after section 28-a, as inserted by section 2, chapter 102, Laws of 1935, the following new section:

Further amend section 1 of said bill by striking out the letters (a), (b) and (c) and inserting in place thereof the numerals I, II and III.

Further amend section 1 of said bill by striking out the words "of this act" in the thirty-sixth line and inserting in place thereof the word, hereof.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage.

On a *viva voce* vote the amendments were adopted and the

bill sent to the House of Representatives for concurrence in the Senate amendments.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 184, An act to regulate the keeping of live wild animals, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to passs.

Amend the title of the bill by adding at the end thereof the words, or wild birds, so that said title as amended shall read as follows: An act to regulate the keeping of live wild animals or wild birds.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Prohibition.* No person shall cage, have in possession or exhibit any live wild animal or wild bird at any time, except as hereinafter provided, nor shall a person traffic, sell, or expose for sale, at any time or at any place any live wild animal or wild bird.

Amend section 4 of said bill by adding after the word "animals" in the fifth line the words, or wild birds.

On a *viva voce* vote the amendments were adopted and the bill sent to the House of Representatives for concurrence in the Senate amendments.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of twenty-four hundred eighty dollars ($2480) be allowed and paid to the Plymouth Guaranty Savings Bank of Plymouth as trustees for the following

purposes, provided that the town of Waterville shall appropriate the sum of four hundred and ninety-six dollars ($496) for the payment of the following sums, four hundred dollars to Minnie Dolloff of Thornton, forty-six dollars to the Plymouth Memorial Hospital and fifty dollars to Dr. R. P. Middleton of Plymouth. Said sum appropriated by the state shall be invested and re-invested by said trustee and from said principal sum and interest accumulated thereon the sum of six dollars per week shall be paid to Minnie Dolloff and four dollars per week to Donna Dolloff, her daughter. This appropriation is in full settlement for the death of Edwin Dolloff of Thornton who was killed while building a state-aided road in the town of Waterville. The sum hereby appropriated by the state shall be a charge upon the highway fund.

On a *viva voce* vote the amendment was adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF BILLS

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 132, An act extending the appropriations heretofore made for old age assistance and poor relief.

Senator Wilson moved that the rules be suspended, printing and reference to committee dispensed with and the foregoing entitled bill be ordered to a third reading at the present time.

(Discussion ensued)

On a *viva voce* vote Chair in doubt, and called for a division.

Nine Senators having voted in the affirmative and thirteen in the negative, the negative prevailed and the motion

to suspend the rules was lost, two-thirds being necessary for the suspension of the rules.

Senator Doe for the Committee on Rules, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Finance.

Senate Bill No. 133, An act relative to unemployment compensation.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

House Bill No. 204, An act relating to liability insurance.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the workmen's compensation law.

House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Connecticut River basin and for carrying out the provisions of said agreement or compact.

House Joint Resolution, No. 74, Joint resolution in favor of John W. Hyland.

HAVEN DOE,
For the Committee.

COMMITTEE OF CONFERENCE REPORT

The Committee on Conference to whom was referred House Bill No. 353 (in new draft), An act relating to fly fishing, reported the same with the following recommendation:

That the House concur with the Senate in adopting its amendment and that the Senate concur with the House in adopting its amendment providing that the following amendment be adopted:

Amend paragraph VI by inserting in line 2 before the word "Scott's" the words, Scobie's Pond in Derry, so that said paragraph as amended shall read as follows: VI. Sawyer pond in Livermore, Scobie's Pond in Derry, Scott's Bog in Pittsburg, Swift river in Tamworth, Stonehouse pond in Berrington, Upper pond in Ellsworth, Three ponds in Ellsworth and Warren.

WILLIAM M. COLE,
W. B. HANSON,
Senate Conferees.

ELIHU T. ADAMS,
JOSEPH A. DUBOIS,
JOHN P. DEMPSEY,
House Conferees.

RECONSIDERATION

On motion of Senator Wilson, the rules were so far suspended as to allow the reconsideration of the vote on House Bill No. 404, An act relating to neglected and delinquent children.

On motion of the same Senator the Senate voted to reconsider the vote whereby the above entitled bill passed.

On motion of the same Senator the Senate voted to reconsider the vote whereby the above entitled bill was ordered to a third reading.

On motion of Senator Wilson, the following amendment was adopted:

Amend Section 28 of the bill by striking out the word July and inserting instead thereof the word October, so that said section will read as follows:

18. *Takes Effect.* This act shall take effect October 1, 1937, and all acts or parts of acts inconsistent herewith are hereby repealed.

The bill as amended was ordered to a third reading this afternoon at two o'clock.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Simpson, the following resolution was adopted:

Resolved, that His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 433, An act relative to athletic exhibitions.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned to the Senate for further consideration the above entitled bill.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to re-

consider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Ways and Means.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 87, An act relating to the forestry and recreation commission.

House Bill No. 404, An act relating to neglected and delinquent children.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, JUNE 30, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 402 (in new draft), An act creating a Probation Department.

The message further stated that the House of Repre-

sentatives has refused to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 110, An act relative to the powers of the School District of Hampton.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 464, An act authorizing towns, cities and other municipal corporations to accept the Workmen's Compensation provisions of Chapter 178 of the Public Laws.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to House Bill No. 277, An act relating to marriage, and asks for a Committee of Conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Hart of Wolfeboro, Kelly of Newport, Jones of Lebanon, Saltmarsh of Concord and Cartier of Rochester.

On motion of Senator Freeman, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members on the part of the Senate Senators Eastman, Freeman and Calef.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Bill No. 353 (in new draft), An act relating to fly fishing.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 167, An act relating to the taking of fish.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Open Season.* Amend section 2, chapter 155, Laws of 1935, by striking out the same and inserting in place thereof the following:

2. *Brook Trout.* Brook trout not less than seven inches in length may be taken by the use either of bait or artificial flies from May first to September first, and during the month of September by the use of artificial flies only, from the following waters:

I. Ferrin pond in Weare, Gustin pond in Marlow, Hall ponds in Sandwich, Jacknife pond brook in Errol, and Lily pond in Gilford.

II. Long pond in Benton, Lucas pond in Northwood, Martin Meadow pond in Lancaster, Millsfield pond brook in Millsfield and Errol, Mount William pond in Weare, Nippo pond in Barrington.

III. Pine river in Effingham and Ossipee, Pleasant pond in Deerfield, Poverty pond in Hill, Robartwood lake in Campton, Rocky Bound pond in Croyden and Round pond in Pittsburg.

IV. Saltmarsh pond in Gilford, Shawtown pond in Freedom, Smokey Camp brook in Errol, Spectacle pond in Groton and Hebron, Sand pond in Marlow and Stratford bog in Stratford.

V. Of brook trout taken under the preceding provisions of this section no person may take more than ten in number, nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish.

2-a. *Brook Trout.* Brook trout not less than seven inches in length may be taken by the use either of bait or artificial flies from May twentieth to September first and by the use of artificial flies only during the month of September from Back Lake in Pittsburg and Little Diamond pond

in Stewartstown; and said trout may be taken by the use either of bait or artificial flies from April fifteenth, or as soon thereafter as the ice goes out, to September first and by the use of artificial flies only during the month of September from Partridge lake in Littleton. The provisions of paragraph V of section 2 shall apply to the taking of brook trout under the provisions of this section.

On a *viva voce* vote the Senate voted to concur with the House of Representatives in the adoption of the amendments offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has refused to adopt the report of the Committee of Conference to House Bill No. 389, An act relative to the taxation of legacies and succession, and has discharged the committee and appointed a new committee. The Speaker has appointed as members on the new committee Messrs. Britton of Westmoreland, Hutchins of Charlestown, Merrill of Plymouth, and Hayes of Dover, and Mrs. Bixby of Berlin.

Pursuant to the above, the President appointed as an extra member on the part of the Senate Senator Hamlin.

The message further stated that the House of Representatives has passed the following resolution in the passage of which the House of Representatives asks the concurrence of the Honorable Senate.

Whereas, it appears that all necessary legislative work may be easily accomplished by Thursday, July 8, instant, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Thursday, July 8, instant, at 5 o'clock in the afternoon.

Be It Further Resolved, That all reports, bills, and joint resolutions, with the exceptions of such as have been referred to the next Legislature, be indefinitely postponed.

On motion of Senator Wilson, the Senate voted that the foregoing resolution be laid on the table.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Morris, the rules were suspended to introduce a committee report not previously advertised in the Journal. With this motion pending the President declared a recess.

(Recess)

The Senate re-assembled.

Senator Morris for the Committee on the Judiciary, to whom was referred Senate Bill No. 132, An act extending the appropriations heretofore made and old age assistance and poor relief, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word and figures "September 30" wherever they occur in said section and substituting therefor the word and figures, July 31; so that said section as amended shall read as follows:

1. *Time Extended.* Amend section 24 of chapter 20 of the Laws of 1935 by striking out the date "June 30" and inserting in place thereof the date July 31, so that said section as amended shall read as follows: 24. *Duration of Act.* The provisions of this act shall terminate July 31, 1937, unless the Legislature shall alter or amend this act prior to that date. Upon such termination the board of welfare and relief and the directors of the divisions of said department shall cease to have the powers and duties by this act conferred upon them, and the affairs of the organization for supervision of poor relief hereby set up shall be wound up and liquidated.

Amend section 2 of the bill by striking out the word and figures "September 30" and substituting therefor the word

and figures July 31; so that said section as amended shall read as follows:

2. *Appropriations Extended.* Any balance of funds appropriated by chapter 20 of the Laws of 1935, for the board of welfare and relief, and any balance of funds appropriated by section 25, chapter 127, Laws of 1935, for old age assistance, are hereby made available to the board of welfare and relief for the purposes of said chapters 20 and 127 for the period from June 30 to July 31, 1937.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Morris the rules were further suspended and the bill was ordered to a third reading and passed at the present time.

COMMITTEE REPORTS

Senator Allen for the Committee on Fisheries and Game, to whom was referred House Bill No. 356 (in new draft and new title), An act relative to license fees for taking fish and game, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette, having considered the same, report the same with the following amendments and recommend that the joint resolution as amended ought to pass.

Amend the resolution by striking out the words and figures "five hundred dollars ($500)" in line 1 and substituting therefor the words and figures, "Two hundred fifty dollars ($250)".

Further amend the resolution by striking out the last sentence thereof and substituting therefor the following:

"The appropriations hereby made shall be in full settlement of said claim and shall be a charge upon the Highway Department," so that said resolution as amended shall read as follows:

That the sum of two hundred fifty dollars ($250) be and hereby is appropriated to compensate John Fredette of Westmoreland for injuries received while working on a bridge on a state aided road in said Westmoreland January 8, 1937, and the further sum of one hundred and thirty-six dollars ($136) be and hereby is appropriated for said Fredette in payment of hospital expenses incurred by him as a result of said injuries. The appropriations hereby made shall be in full settlement of said claim and shall be a charge upon the Highway Department.

The report was accepted, amendments adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Moran for the Committee on Claims, to whom were referred:

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

House Joint Resolution No 101, Joint resolution in favor of G E. Robertson and Company of Hinsdale.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the joint resolutions referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 353, An act relating to fly fishing, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the sixth to tenth lines and inserting in place thereof the following:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length may be taken from May first to October first, except as hereinafter provided, by the use of artificial flies only from the following waters. No person may have in his possession more than two days' legal catch.

Further amend said section 1 of said bill by striking out all after the 49th line and inserting in place thereof the following:

VII. White pond in Ossipee.

VIII. No person, taking brook trout as provided in the preceding provisions of this section, may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight he shall be entitled to take one additional fish.

IX. Adams pond in Hill, Reservoir pond in Hill, Shaw pond in Franklin, Stirrup Iron brook pond in Salisbury, provided that no person may take from said ponds more than five in number nor more than five pounds in weight when taken, in one day except that so long as he has taken less than five in number or five pounds in weight he shall be entitled to take one additional fish.

X. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to take one additional fish.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

COMMITTEE OF CONFERENCE

The Committee of Conference, to whom was referred

House Bill No. 411, An act providing for special grill room licenses to first class hotels, report the same with the recommendation that the House recede from its position of non-concurrence and accept the amendments sent down by the Honorable Senate.

A. M. FREEMAN,
W. B. HANSON,
Conferees on the part of the Senate.

C. L. BAILEY,
CHARLES E. MAGOON,
CHARLES P. COAKLEY,
Conferees on the part of the House.

The report of the Committee of Conference was accepted.

On a *viva voce* vote the recommendations of the Committee were adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 464, An act authorizing towns, cities, and other municipal corporations to accept the workmen's compensation provisions of chapter 178 of the Public Laws.

House Bill No. 402, An act creating a Probation Department.

HAVEN DOE,
For the Committee.

The President declared a recess until 1:55 P. M.

(Recess)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives:

Mr. President:

The House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 138, Joint resolution relating to the calling of a Constitutional Convention.

READ AND REFERRED

The following entitled joint resolution, sent up from the House of Representatives was read a first and second time and referred to the Committee on Judiciary:

House Joint Resolution No. 138, Joint resolution relating to the calling of a Constitutional Convention.

On motion of Senator Doe, the Senate adjourned.

AFTERNOON

The Senate re-assembled.

THIRD READINGS

The following entitled bill and joint resolution were read a third time and passed:

House Bill No. 356 (in new draft and new title), An act relative to license fees for taking fish and game.

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

On motion of Senator Hamlin, the Senate adjourned.

THURSDAY, JULY 1, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Burque and Mahoney were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 486, An act relative to the Woodsville Fire District.

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

House Bill No. 483, An act relative to Constitutional Government Day.

House Bill No. 484, An act to amend the charter of the city of Nashua.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 132, An act extending the appropriations heretofore made for old age assistance and poor relief.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolution:

House Bill No. 324, An act relating to payment of wages.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of Stream Flow Gauging Stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to

enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont, and for other purposes.

House Bill No. 475, An act to provide for co-operation by the State with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 353 (in new draft), An act relating to fly fishing.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 78, An act relating to alimony.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Alimony; Period of Payment.* Amend section 16 of Chapter 287 of the Public Laws by striking out said section and inserting in place thereof the following: 16. *Alimony.* Upon a decree of nullity or divorce, the court may restore to the wife all or any part of her estate, and may assign to her such part of the estate of her husband, or order him to pay such sum of money, as may be deemed just, provided that in cases in which no children are involved, or in which the children have reached the age of majority, said order shall be effective for not more than three years from the

date thereof, but such order may be renewed, modified or extended if justice requires for periods of not more than three years at a time and may compel the husband to disclose, under oath, the situation of his property; and before or after the decree, may make such orders and use such process as may be necessary.

2. *Modification of Existing Orders; Takes Effect.* Any order for the payment of alimony or separate maintenance now in force may be changed or modified to comply with the provisions of this act upon petition of either party, and this act shall take effect upon its passage.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the amendment offered by the Committee on Engrossd Bills.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Amend said bill by striking out section 4 and inserting in place thereof the following:

4. *Board of Trustees.* The selectmen of the town of Sunapee for the time being shall be deemed for the purposes of this act one ex-officio trustee, and the Roman Catholic Bishop of Manchester for the time being, if he so elects, shall appoint a representative who shall be deemed one ex-officio trustee. Said ex-officio trustee shall have no voice in the selection and election of other trustees. The business, property and affairs of said corporation shall be managed and controlled by a board of not more than seven trustees. The first board of trustees shall consist of the ex-officio trustees hereinbefore, defined, Samuel Crowther, Mary Owens Crowther, Mary E. Ramsay and two others

to be selected by the last three mentioned persons. Said additional trustees shall be elected at the organization meeting. Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay shall be trustees during their respective lifetimes with the sole right to select the two elective trustees. Upon th death of Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or any of them the vacancy thus created shall be filled by the other trustees, exclusive of the ex-officio trustees, by the nomination of the oldest descendant of said Samuel and Mary Owens Crowther, provided that no person shall be nominated who is not of the age of twenty-one years. The succession in the board of trustees shall be among the descendants of said Samuel and Mary Owens Crowther so long as there are such descendants, it being the intent and purpose of this act that three of said trustees shall be descendants of said persons so long as there are such descendants. Upon the decease of Samuel and Mary Owens Crowther, Mary E. Ramsay and the last descendants of said Samuel and Mary Owens Crowther the term of office of the elected members shall terminate and the board of trustees shall consist only of the ex-officio members hereinbefore defined who shall have full charge and control of all the affairs of said corporation. Vacancies in the office of the two elective trustees shall be filled by nomination by Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or by their successors.

On motion of Senator Hamlin, the Senate voted to concur in the amendment sent up from the House of Representatives.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 47, An act providing for an addition to the cell block of the state prison.

Senate Bill No. 100, An act relating to control of navi-

gation at Hampton Harbor, the inlet, so called, and Hampton River.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendment to the following entitled bill:

House Bill No. 404, An act relating to neglected and delinquent children.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 132, An act extending the appropriation heretofore made for old age assistance and poor relief.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Judiciary:

House Bill No. 486, An act relative to the Woodsville Fire District.

On motion of Senator Wilson, the rules were suspended, reference to committee dispensed with, and the foregoing bill was read a third time and passed.

To the Committee on Finance:

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

To the Committee on Judiciary:

House Bill No. 483, An act relative to Constitutional Government Day.

To the Committee on Judiciary:

House Bill No. 484, An act to amend the charter of the city of Nashua.

On motion of Senator Heald, the rules were suspended,

reference to Committee dispensed with and the forgoing bill was read a third time and passed.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro, having considered the same, report the same without amendment and recommend its passage.

The report was accepted, and the bill ordered to a third reading this afternoon at two o'clock.

Senator Randall for the Committee on Labor, to whom was referred Senate Bill No. 5, An act relating to employers' liability and workmen's compensation, having considered the same, report the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Randall for the Committee on Labor, to whom was referred House Bill No. 465, An act enlarging the scope of the employers' liability and workmen's compensation law, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out in section 2 line 1 the word and figures, June 30, and substituting therefor the word and figure July 15 so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect July 15, 1937.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Hamlin for the Committee on Revision of Laws, to whom was referred Senate Bill No. 130, An act relating to non-resident circus motor vehicles, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Wilson the rules were suspended to introduce a committee report not previously advertised in the journal.

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 107 (in new draft), An act relating to public welfare, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by striking out the first section thereof and substituting therefor the following:

1. *Board of Public Welfare.* There is hereby constituted the State Board of Public Welfare. On or before August 1, 1937, the Governor with the advice and consent of the Council shall appoint three members of said Board of Public Welfare not more than two of whom shall be of the same political party, who shall hold office until July 1, 1938, July 1, 1939 and July 1, 1940, respectively, the length of the term of each to be fixed in his commission. Thereafter, beginning in the year 1938, one member of said board shall be appointed for a term of three years from the first day of July. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Each member shall continue in office until his successor has been appointed and qualified. Any member of said board may be removed by the Governor and Council at any time for cause.

Further amend the bill by striking out section 2 thereof and substituting therefor the following:

2. *Chairman; Secretary.* The Governor and Council shall designate one member of said board as chairman and another as secretary.

Further amend the bill by striking out section 22 thereof and substituting therefor the following:

22. *Takes Effect.* This act shall take effect July 31, 1937.

The report was accepted, amendments adopted and the bill was referred to the Committee on Finance under the rules.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 477, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1938, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill as follows:

(1) Strike out the paragraph relative to the legislature and insert in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account which shall be for the expenses of the legislature only $135,000.

(2) Strike out figures $60,000 in the last item of the appropriation for the executive department and insert in place thereof the figure, $40,000; change the total of said appropriation from $87,500 to $67,500.

(3) For the department of agriculture strike out the figure $3,980 for feeding stuffs inspection and insert in place thereof the figure, $4,980; strike out the figure $2,000, salary of inspector, and insert in place thereof the figure $1,600; strike out the figure $1,250, other expenses, and insert in place thereof the figure $1,650; strike out figure $54,660 and insert in place thereof the figure $59,660; strike out the figure $50,000, bovine disease indemnities, and insert in place thereof the following; July 1, 1937 to December 30, 1937, $35,000; January 1, 1938 to June 30, 1938, $35,000; change the total for said department from $195,510 to $221,510.

(4) For the attorney-general's department strike out the figure $3,405 and insert in place thereof the figure $3,380; strike out the words and figure "Bureau of investi-

gation $10,000"; change the total for said department from $34,805 to $24,780.

(5) For the comptroller's department insert after the line relative to clerical expense the following: Additional clerk, half time, $440; change the total for said department from $23,450 to $23,890.

(6) For the department of forestry and recreation strike out the figure $3,700 and insert in place thereof the figure $4,000; strike out the figure $4,500 and insert in place thereof the figure $4,800; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,653 and insert in place thereof the figure $5,353; strike out the figure $9,550 and insert in place thereof the figure $10,050; strike out the figure $3,850 and insert in place thereof the figure $4,150; change the total for said department from $74,283 to $76,583.

(7) For the state library strike out the figure $11,255 and insert in place thereof the figure $12,565; change the total for said department from $29,786 to $31,096.

(8) For the Planning Division strike out the figure $14,748 and insert in place thereof the figure $14,898; change the total for said division from $23,878 to $24,028; change the net appropriation for said division from $23,378 to $23,528.

For the Development Division strike out the figure $9,465 and insert in place thereof the figure $9,715; change the total for said division from $83,782.50 to $84,032.50; change the net appropriation for said division from $82,532.50 to $82,782.50.

(9) For the state department strike out $4,075 and insert in place thereof the figure $3,075; change the total for said department from $29,260.95 to $28,260.95.

(10) For the department of weights and measures add after the words "other salaries" the following: including a fourth inspector.

(11) For Laconia State School strike out the words

"purchase of land" and insert in place thereof the words, for construction of cement walks.

(12) For New Hampshire state hospital strike out the figures $253,718.43 and insert in place thereof the figure $253,718.46; insert the words and figures resurfacing driveway $2,500; change the total of $801,738.27 to $804,238.30 and the total of $793,738.27 to $796,238.30.

(13) For the state board of education strike out the figure $430,000 and insert in place thereof the figure $441,000; strike out the figure $325,000 and insert in place thereof the figure $350,000; strike out the figure $100,000 and insert in place thereof the figure $106,000.

(14) For the board of health strike out the figure $750 and insert in place thereof the figure $640; strike out the figure $7,370 and insert in place thereof the figure $7,470; strike out the figure $14,500 and insert in place thereof the figure $15,000; strike out the figure $8,000 and insert in place thereof the figure $7,000; strike out the figure $4,520 and insert in place thereof the figure $5,020; insert the following: crippled children, salaries $3,350, current expenses $7,650; change the total for said department from $74,210 to $85,300.

(15) For the public service commission add after the word "engineers" the word counsel.

(16) For chiropractic examiners strike out the figure $600 and insert in place thereof the figure $500.

(17) For the judicial department add to the appropriation for the supreme court the following item: refurnishing and painting $2,205; change to total for said court from $134,400 to $136,605.

(18) Strike out the last line of said section 1 which is as follows: Funeral directors and embalmers $2,200.

The report was accepted.

Senator Blood, Chairman of the Finance Committee, explained the various changes made in the bills.

Senator Cole moved that further reading of the amendments be dispensed with.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 478, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1939, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill as follows:

(1) Strike out the words and figures "for the legislature $250,000" and insert in place thereof the following: A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account and which shall be for the expense of the legislature only $135,000.

(2) For the executive department strike out the figure $60,000 and insert in place thereof the figure $40,000; change the total for said department from

(3) For the department of agriculture strike out the figure $3,980 and insert in place thereof the figure $4,980, strike out the figure $2,000 and insert in place thereof the figure $1,600; strike out the figure $1,250 and insert in place thereof the figure $1,650; strike out the words and figures "bovine diseases indemnities $50,000" and insert in place thereof the following: Bovine disease indemnities, July 1, 1938 to December 30, 1938, $35,000; January 1, 1939 to June 30, 1939, $35,000; strike out figure $54,660 and insert in place thereof the figure $59,660; change the total for said department from $196,760 to $222,760.

(4) For the attorney-general's department strike out the figure $4,205 and insert in place thereof the figure $4,180; strike out the words and figures "bureau of investigation $10,000"; change the total for said department from $35,605 to $25,580.

(5) For the comptroller's department insert afte-

"clerical expense" the words and figures, additional clerk, half time $465; change the total for said department from $23,700 to $24,165.

(6) For the department of forestry and recreation strike out the figure $3,975 and insert in place thereof the figure $4,275; strike out the figure $4,500 and insert in place thereof the figure $4,800; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,553 and insert in place thereof the figure $5,253; strike out the figure $11,450 and insert in place thereof the figure $12,250; change the total from $76,348 to $78,648; insert after said total the following

Revenue	$3,850
Net total	$74,798

(7) For the state library strike out the figure $6,456 and insert in place thereof the figure $6,506; strike out the figure $11,365 and insert in place thereof the figure $12,675; change the total from $23,371 to $24,731.

(8) For the state department strike out the figure $3,550 and insert in place thereof the figure $2,550; change the total for said department from $37,637.95 to $36,687.95.

(9) For the state hospital strike out the figure $254,513.46 and insert in place thereof the figure $254,113.46; insert after the word "agriculture" and the appropriation therefor the following:

Resurfacing driveway $1,250; change the total from $808,428.30 to $809,278.30; and change the net appropriation from $800,428.30 to $801,278.30.

(10) For the board of education strike out the figure $430,000 and insert in place thereof the figure $461,000; strike out the figure $325,000 and insert in place thereof the figure $350,000; strike out the figure $100,000 and insert in place thereof the figure $106,000.

(11) For the board of health strike out the figure $7,370 and insert in place thereof the figure $7,470; strike out the

figure $14,500 and insert in place thereof the figure $15,100; strike out the figure $4,520 and insert in place thereof the figure $4,920; strike out the figure $8,000 and insert in place thereof the figure $7,000; add at the end of said appropriation the following:

Services for crippled children

Salaries	$3,500
Other expenses	7,500

change the total for said department from $74,625 to $85,725.

(12) For chiropractice examiners strike out the figure $600 and insert in place thereof the figure $500.

(13) For the planning division of the planning and development commission strike out the figure $14,748 and insert in place thereof the figure $15,048; change the total for said division from $24,614 to $24,914 and the net total from $24,114 to $24,414. For the development division strike out the figure $9,465 and insert in place thereof the figure $9,965; change the total from $83,782.50 to $84,282.50 and the net total from $82,532.50 to $83,032.50.

(14) Strike out the following words and figures "For state board of registration of directors and embalmers $2,200.

(15) Add at the end of said section 1 the following:

New Hampshire Water Resources board

Salaries	$7,930
Other expenses	4,835
	$12,765

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills to whom was referred House Bill No. 87, An act relating to the forestry and recreation commission, having considered

the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 9 of said bill by striking out the same and inserting in place thereof the following:

9. *State Moneys.* Amend section 11 of chapter 15 of the Public Laws, as amended by section 2, chapter 130, Laws of 1927, section 2, chapter 140, Laws of 1935, and section 21, chapter 134, Laws of 1937, by striking out said section and inserting in place thereof the following: 11. *Application of Receipts.* Moneys received by the state treasurer, as provided in section 10, shall be available for general reveune of the state with the following exceptions: Moneys received by the fish and game departmnt, which shall be credited to the fish and game fund; fees from the motor vehicle department, which, after deducting the amount allowed by the legislature for maintaining said department and one hundred and fifty thousand dollars annually for maintaining in part the department of state police, shall be credited to the highway department for maintenance of highways; fines and costs from the department of state police which shall be credited to the highway department for maintenance of highways; revenues from fees, rentals and the sale of products from lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided for in chapter 192 of the Public Laws; and the fees collected by the public service commission of railroads, public utilities and owners of dams for money paid out by the commission to experts and assistants not in its regular employ, which fees shall be appropriated to reimburse the state for money so paid out. The full amount allowed for the maintenance of each institution and department shall be appropriated by each legislature for the biennial period next following, and the money derived from the sale of farm and minor industrial products of institutions shall be credited to the appropriation for the institution from which derived.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENRGOSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 132, An act extending the appropriations heretofore made for old age assistance and poor relief.

House Bill No. 167, An act relating to the taking of fish.

House Bill No. 353, An act relating to fly fishing.

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the commonwealth of Massachusetts and for other purposes.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

House Bill No. 324, An act relating to payment of wages.

House Bill No. 404, An act relating to neglected and delinquent children.

House Bill No. 419, An act to provide for co-operation with the United tSates Geological Survey in the establishment and maintenance of stream flow gauging stations, and for an extension of time for use of funds appropriated for the New Hampshire water resources board.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

LULA J. MORRIS,
For the Committee.

ANNOUNCEMENTS

The President announced the resignation of Charles Robinson, of Milford, as Telephone Messenger and the appointment of Frank Merrill, of Concord, as his successor for the rest of the session.

The President announced the appointment on Tuesday June 29th, of Senator William B. Hanson as a member of the Finance Committee replacing Senator Arthur Conner, who has been granted leave of absence for the rest of the session.

The President declared a recess.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 134, An act relating to suits by minors.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules suspended and all business in order for this afternoon be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 465, An act enlarging the scope of the Employers' Liability and Workmen's Compensation Law.

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

House Bill No. 477, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

On motion of Senator Eastman, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning. it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Daniel, the Senate adjourned.

FRIDAY, JULY 2, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 2, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JULY 5, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 5, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JULY 6, 1937.

The Senate met according to adjournment.

LEAVES OF ABSENCE

Senator Eames was granted leave of absence on account of illness.

Senator Mahoney was granted leave of absence on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the national guard.

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 131, An act in regard to highway construction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 184, An act to regulate the keeping of wild animals and wild birds.

House Bill No. 87, An act relating to the forestry and recreation commission.

COMMITTEE REPORTS

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 409, An act relating to the lobster industry, having considered the same, report the same without amendment and recommend its passage.

The report of the committee was accepted.

On motion of Senator Blood, the bill was recommitted to the Committee on Fisheries and Game.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 7, An act relating to liability for support of aged and dependent persons and the age limitation imposed for old age assistance, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report of the committee was accepted.

Senator Daniel moved that the words, ought to pass with amendment, be substituted for inexpedient to legislate.

Amend the title of said bill by striking out the same and inserting in place thereof the following new title:

An act relating to the payment of old age assistance.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Sweepstakes.* The state racing commission established by chapter 27, Laws of 1935, shall devise a plan for a state sweepstakes which shall be conducted three times a year for the purpose of raising funds required to pay the state's contribution for old age assistance.

2. *Wagers.* Said commission shall determine the nature, prizes, drawing and other details of said sweepstakes and sell wagers through such agents as it may designate and determine their compensation therefor and the amount of profit to be derived by the state in carrying out the provisions hereof.

3. *Sale of Wagers.* The sale of wagers in any sweepstakes conducted hereunder shall be made only by duly authorized agents of the commission who shall at all times when selling or offering for sale such wagers have their credentials with them and shall display such credentials to anyone making a request therefor.

4. *False Wagers; Penalty.* Whoever shall forge, utter, sell or offer for sale any false wager for any purpose whatsover as one issued under this act shall be fined not more than one thousand dollars and imprisoned not more than three years, or both.

5. *Disposition of Revenue.* Any profit made from the sale of wagers as authorized hereunder shall be deposited with the state treasurer and shall be used for the purpose of paying the state's contribution to old age assistance.

6. *Takes Effect.* This act shall take effect upon its passage.

(Discussion ensued)

On a *viva voce* vote, the negative prevailed and the motion to substitute was lost.

The question being stated:

Shall the recommendation of the committee be adopted?

Senator Daniel demanded a roll call.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Simpson, Stafford, Hamlin, Freeman, Hanson, Randall, Heald, Burque, Eastman, Blood, Wilson, Doe, Calef, Cole and Allen.

The following named Senators voted in the negative: Senators Moran and Daniel.

Paired Senator Guyer voting in the affirmative and Senator Mahoney voting in the negative.

Seventeen Senators having voted in the affirmative and two Senators in the negative, the affirmative prevailed and the recommendation of the committee was adopted.

Senator Calef for the Committee on Finance, to whom were referred:

House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Calef, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom

was referred Senate Bill No. 133, An act relative to unemployment compensation, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Wilson, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Wilson for the Committee on Judiciary, to whom was referred House Joint Resolution No. 138, Joint resolution relating to the calling of a Constitutional Convention, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the last paragraph or resolving clause and substituting therefor the following:

Resolved, by the Senate and House of Representatives in General Court convened:

That the Legislature direct the Secretary of State to, immediately upon the passage of this joint resolution, make a complete and final return of all the ballots cast at said election and special election and that the House and Senate meet in joint convention to canvass the returns of the number of ballots for and against the necessity of calling a constitutional convention.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe, the rules were further suspended and the foregoing joint resolution was read a third time and passed.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

House Bill No. 78, An act relating to alimony.

House Bill No. 87, An act relating to the forestry and recreation commission.

House Bill No. 184, An act to regulate the keeping of live wild animals or wild birds.

House Bill No. 356, An act relative to license fees for taking fish and game.

House Bill No. 486, An act relative to the Woodsville Fire District.

HAVEN DOE,
For the Committee

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 135, An act relative to political contributions.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

Senate Bill No. 133, An act relative to unemployment compensation.

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, JULY 7, 1937.

The Senate met according to adjournment.

Senator Eastman in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill and joint resolution:

House Bill No. 465, An act enlarging the scope of the Employers' Liability and Workmen's Compensation Law.

House Joint Resolution No. 138, Joint resolution relating to the calling of a Constitutional Convention.

The message further stated that the House of Represen-

tatives has recalled from the Governor for purpose of amendment Senate Bill No. 114, An act relating to special number plates for motor vehicles used by the National Guard.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bills, House Bill No. 477, An act making appropriation for the State of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the State of New Hampshire for the year ending June 30, 1939 and asks for a Committee of Conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Seavey of Rochester, Rice of Rindge, Baker of Concord, Sawyer of Woodstock and Sanderson of Pittsfield.

On motion of Senator Blood, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed Senators Blood, Calef and Heald as members of the Committee of Conference on the part of the Senate.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 106, An act relating to municipal water works.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bills, with amendments, in the pasage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 127, An act to amend chapter 284 of the Public Laws relating to the sale of securities.

Amend said bill by striking out the title and inserting in its place the following:

An act relating to the sale of securities.

On motion of Senator Doe the Senate voted to concur with the House of Representatives in the adoption of the amendment offered by the House of Representatives.

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Amend section 5 of said bill by striking out in line three thereof the word "seventy-five" and inserting in place thereof the word "twenty-five", so that said section as amended shall read:

"5. *Report; Penalty.* Any person operating a motor vehicle, trailer or semi-trailer which is in any manner involved in an accident resulting in damage to property in excess of twenty-five dollars shall forthwith report in writing to the commissioner in the same manner as required by law in case of an accident in which any person is injured or killed. Any person failing to report as required herein shall be punished in the same manner as one who fails to report in accordance with Public Laws, Chapter 102, sections 17 and 18."

Further amend said bill by striking out in line four of section 6 the word "seventy-five" and inserting in place thereof the word "twenty-five", so that said section as amended shall read:

"6. *Security and Proof Required Following Accident.* Upon receipt by him of the report of an accident which has resulted in bodily injury or death, or in damage to property in excess of twenty-five dollars, the commissioner shall forthwith suspend the license of any person operating, and the registration certificates and registration plates of any person owning a motor vehicle, trailer or semi-trailer in any manner involved in such accident unless and until such operator or owner or both shall have previously furnished or immediately furnishes sufficient security to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator by or on behalf of the aggrieved person or his legal representative, and unless and until such owner or operator

or both shall immediately give and thereafter maintain proof of financial responsibility in the future."

On motion of Senator Hamlin the Senate voted to concur with the House of Representatives in the adoption of the amendment offered by the House of Representatives.

The message further stated that the House of Representatives has passed the following concurrent resolution in the passage of which it asks the concurrence of the Honorable Senate.

STATE OF NEW HAMPSHIRE

Whereas, the Portsmouth Naval Hospital is manned and equipped to take care of a large number of sick and disabled service men and war veterans; and

Whereas, since the so-called Economy Act of March, 1933, the use of the facilities of this institution have been restricted to men now in the service with the exception of an allotment of ten beds for use by the Veterans' Administration in hospitalizing World War Veterans suffering from acute disabilities requiring emergency treatment; and

Whereas, there are a large number of beds not being used at the Portsmouth Naval Hospital that in our opinion should be made available for general medical and surgical cases; and

Whereas, the veterans of the World War needing general medical and surgical attention are obliged to submit to treatment in hospitals outside the borders of the state, thus causing a great inconvenience and mental anguish not only to themselves but to their families; and

Whereas, most of these Veterans' Administration Facilities outside of the state are in such a crowded condition that a patient is obliged to wait from three to six weeks before being admitted; therefore

Be it Resolved by the Senate and House of Representatives that we believe the war veterans of New Hampshire are entitled to the same consideration and fair treatment as are veterans of other states, and accordingly we urgently

request the Administrator of Veterans' Affairs to make the necessary arrangements with the Navy Department for at least fifty (50) beds to be used by the Veterans' Administration in hospitalizing World War Veterans in this state in need of general medical and surgical attention; and

Be it Further Resolved that a copy of this resolution be transmitted to Senator H. Styles Bridges, Senator Fred H. Brown, Congressman Charles W. Tobey, Congressman Arthur B. Jenks, with a request that they use their best efforts in connection with the purpose of this resolution.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the resolution with the following amendment:

Amend the resolution by transposing in line 26 the words, Fred H. Brown and H. Styles Bridges so that the resolution as amended shall read as follows:

Be it Further Resolved that a copy of this resolution be transmitted to Senator Fred H. Brown, Senator H. Styles Bridges, Congressman Charles W. Tobey, Congressman Arthur B. Jenks, with a request that they use their best efforts in connection with the purpose of this resolution.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred Senate Bill No. 129, An act to dissolve the Glen Junction Transfer Company, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by adding after the figures "1897" in the third line the words, as amended by chapter 330, Laws of 1903; so that said section as amended shall read as follows:

1. *Glen Junction Transfer Company.* Glen Junction Transfer Company, a corporation created under the provisions of chapter 154, Laws of 1897, as amended by chapter 330, Laws of 1903, is hereby dissolved.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Morris for the Committee on Judiciary, to whom were referred:

Senate Bill No. 134, An act relating to suits by minors.

House Bill No. 483, An act relative to Constitutional Government Day.

Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resoltuion No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons, having considered the same report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the above claims; so that said joint resolution as amended shall read:

That the sum of seventeen dollars and sixty cents be and hereby is appropriated to compensate Erwin A. Ames of the city of Concord for accidental injuries suffered while building a state aid road in said Concord, provided that the city of Concord shall appropriate a like amount. An additional sum of twenty-four dollars is likewise appropriated to be paid to Dr. C. H. Parsons, said bill having been contracted by said Erwin A. Ames in said accident, provided a like sum is appropriated by the said city of Concord. Said sums appropriated by the state shall be a charge upon the highway funds and shall be in full settlement of the above claims.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom

was referred House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford, having considered the same, reported the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the above claims; so that said joint resolution as amended shall read:

That the sums of two hundred dollars ($200) and one hundred dollars ($100) be and hereby are appropriated to Hugh H. Johnson of Stratford for damage to his car and doctor's bill and personal injuries, said expenses being the result of an accident when his car dropped into a culvert, due to a washout, on the Daniel Webster highway in the town of Stratford, April 6, 1937. Said sums appropriated shall be a charge upon the highway funds, and shall be in full settlement of the above claims.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Finance.

Senate Bill No. 136, An act to make available the New Hampshire Law Reports.

The Chair declared a recess.

(Recess)

The Senate re-assembled.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Blood the following resolution was adopted:

Resolved, that His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 264 (in second new draft) An act to regulate the practice of barbering.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request His Excellency returned House Bill No. 264 (in second new draft), An act to regulate the practice of barbering.

On motion of the same Senator, the rules were so far suspended as to allow reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the following amendments were adopted:

Amend section 16 of said bill by striking out the third sentence thereof and inserting in place thereof the following sentence:

Upon receipt of such written application said board shall notify the local board of health who shall make an investigation and if said board of health shall find that the operators in such shop or establishment hold certificates of registration to practice barbering, as herein provided, and that such shop or establishment is, with respect to its location, appointments, equipment and appliances, suitable and sanitary for such purpose said board of health shall so report to said board and said board shall issue to the applicant, upon payment of the fee herein provided, a certificate or a registration or a license to conduct a barber shop or establishment at such location until the first day of July following the date of such registration.

Amend section 14 of said bill by striking out the date "July first" where it occurs in said section and inserting in place thereof the date September first.

Amend section 24 of said bill by striking out the same and inserting in place thereof the following:

24. *Takes Effect.* Such portions of this act authorizing the establishment and organization of said board shall take effect upon its passage and the remaining provisions shall become effective on September 1, 1937.

And the bill was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed:

House Bill No. 264 (in second new draft), An act to regulate the practice of barbering.

Senate Bill No. 129, An act to dissolve the Glen Junction Transfer Company.

Senate Bill No. 134, An act relating to suits by minors.

House Bill No. 483, An act relative to Constitutional Government Day

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons

House Joint Resolution No 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

On motion of Senator Burque, the Senate adjourned.

THURSDAY, JULY 8, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 207 (in second new draft and new title), An act relating to the construction of jetties at the entrance of Rye harbor in the town of Rye.

House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester.

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster.

House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

The message further stated that the House of Representatives has refused to adopt the report of the Committee of Conference to House Bill No. 411, An act providing for special grill room licenses to first class hotels.

The message further stated that the House of Representatives has passed the following resolution in the adoption of which it asks the concurrence of the Honorable Senate.

Resolved, That the Senate be informed that the House of Representatives will be ready to meet the Senate in joint convention at 12:00 o'clock Tuesday, July 20, for the purpose of receiving a report from the Secretary of State of the return of the ballots cast at the election March 9, 1937, on the question "'Is it advisable to call a convention to revise the Constitution?"

On motion of Senator Cole, it was voted that the resolution be laid on the table.

READ AND REFERRED

The following entitled bills sent up from the House of

Representatives were read a first and second time and referred,

To the Committee on Finance:

House Bill No. 207 (in new draft and new title), An act relating to the construction of jetties at the entrance of Rye harbor in the town of Rye.

To a Joint Committee on Finance and Military Affairs:

House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester.

To the Committee on Fisheries and Game:

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster.

To the Committee on State House and Laconia State School:

House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

COMMITTEE REPORTS

Senator Morris for the Committee on Judiciary, to whom was referred Senate Bill No. 135, An act relative to political contributions, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORT

Senator Calef under a suspension of the rules introduced a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 11 (in new draft), An act to provide for the erection of a State Office Building in Concord, having considered the same, report the same in second new draft and recommend its passage.

The report was accepted, recommendations adopted and the bill in its second new draft was read a first and second

time, laid on the table to be printed and recommitted to the Committee on Finance.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 484, An act to amend the charter of the city of Nashua, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

1. *Charter of the City of Nashua.* Amend section 42 of Part I, chapter 247 of the Laws of 1913, being the charter of the city of Nashua as adopted by vote of the inhabitants of said city, by striking out said section and inserting in place thereof the following:

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 127, An act relating to the sale of securities, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the fifth and sixth lines and inserting in place thereof the following: minerals, and further amend said section 2 by striking out the word "is" in both places where it occurs in said fourth line and inserting in place thereof the word, are, so that said section as amended shall read as follows:

2. Securities shall include all.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF JOINT RESOLUTION

Senator Wilson for the Committee on Rules introduced the following joint resolution, which was read a first and

second time, laid on the table to be printed and referred to the Committee on Finance.

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

On motion of Senator Randall, the following resolution was adopted:

Resolved, that when the Senate adjourns today it adjourn out of respect for Mrs. William Weston, wife of the Chaplain of the House, and a former member of this body, and that the President appoint a Committee to prepare suitable resolutions.

Pursuant to the above resolution, the President appointed as members of the Committee to prepare resolutions Senators Randall, Hamlin and Moran.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

Senate Bill No. 135, An act relative to political contributions.

On motion of Senator Heald, the following resolution was adopted:

Resolved, that when the Senate adjourns this morning it be to meet Friday morning at 9:00 o'clock and when it adjourn Friday morning it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned out of respect to the memory of Mrs. William Weston.

FRIDAY, JULY 9, 1937.

The Senate met according to adjournment.

Senator Hamlin having assumed the Chair, read the following communication:

Concord, N. H., July 9, 1937.

SENATOR HAMLIN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Hamlin declared the Senate adjourned.

MONDAY, JULY 12, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 12, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JULY 13, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill and joint resolutions:

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 120, An act relating to pickerel fishing Martin Meadow pond in Lancaster.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Amend section 2 of said bill by striking out the words "a copy of the registration certificate"; and; by inserting after the word "registered" in the ninth line the words, under the provisions of said chapter 106; by inserting after the word "registered" where it occurs in the tenth and thirteenth lines the words, under said chapter.

On motion of Senator Daniel, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has voted to adopt the amendments offered by

the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 264, An act to regulate the practice of barbering.

Amend section 4 of said bill by striking out the word "the" in the thirteenth line and inserting in place thereof the word, each.

Amend section 5 by adding after the word "Council" in the fourth line the word, giving.

Amend section 7 by striking out all after the word "duty" and inserting in place thereof the following: provided that the total expenditures hereby authorized shall not exceed the amount of moneys received by the state treasurer from the board during the current year.

Amend section 8 of said bill by striking out all after the word "registration" in the third line and inserting in place thereof the following: issued pursuant to the provisions of this act.

Amend section 9 by striking out the last sentence and inserting in place thereof the following:

Any person is qualified to receive a certificate of registration as a registered apprentice who is at least sixteen years of age and has paid the required fee.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Applications.* Each applicant for an examination before said board shall file an application under oath which shall be in such form and contain such information as may be required by the board and said applicant shall pay the required fee.

Amend section 11 by striking out the words "and as registered apprentices" in the eighth and ninth lines.

Amend section 12 by striking out the words "or of registered apprentice" in the first and second lines.

Amend section 14 of said bill by striking out the figure

"6" in the sixteenth line and inserting in place thereof the figure 9.

Amend section 16 by striking out the words "of said chapter as amended" and inserting in place thereof the word, hereof.

Amend section 19 by inserting after the word "cases" in the nineteenth line the words, in the superior court.

Amend section 22 by striking out the same and inserting in place thereof the following:

22. *Application of Laws.* Sections 19, 20 and 21 of chapter 133 of the Public Laws shall not apply in cities and towns where this act is effective.

Amend section 23 by striking out the same and inserting in place thereof the following:

23. *Where in Force.* The provisions of this act shall be in force in all cities and towns of one thousand or more inhabitants and in such other towns as shall by majority vote at an annual or special town meeting adopt the same, under an article in the warrant for such action.

Amend section 24 by striking out the same and inserting in place thereof the following:

24. *Takes Effect.* The provisions of this act authorizing the establishment and organization of said board shall take effect upon its passage and the remaining provisions shall take effect on September 1, 1937.

On motion of Senator Daniel, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 11 (in second new draft), An act to provide for the erection of a State Office Building in Concord, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two oclock.

On motion of Senator Cole, the rules were suspended

and the bill was read a third time and passed at the present time.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 52, (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Compensation of Board; Disposition of Revenue.* The secretary shall receive and receipt for all fees received by the board under this act and shall at the end of each month report to the comptroller the total amount of all money received from all sources and shall at the same time deposit with the state treasurer the entire amount of said receipts. Said secretary shall give bond to the state in the sum of two thousand dollars, with sufficient sureties to be approved by the attorney-general, conditioned that he shall faithfully perform all the duties of his office. The annual salary of said secretary shall be five hundred dollars. Each member of said board shall receive five dollars a day while in attendance upon examinations or conducting inspections and reasonable expenses while traveling in the performance of his duties. The compensation and expenses of the members of the board shall be paid by the state treasurer upon the warrant of the governor, but the total expenditures for such purpose shall not exceed the total moneys received by the state treasurer under the provisions hereof.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Title.* This act may be cited as the Act regulating the practice of hairdressing and beauty culture.

Amend section 19 of said bill by striking out the last sentence in said section.

Amend section 22 of said bill by striking out the words

"punished by a fine of not more than one hundred dollars or by imprisonment for" and inserting in place thereof the words, fined not more than one hundred dollars or imprisoned.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill: Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the following amendment was adopted.

Amend Section 29 of the bill by striking out the words and figures "July 1, 1937" in the first line and substituting therefor the following, September 1, 1937; so that said section as amended shall read as follows:

29. *Takes Effect.* This act shall take effect September 1, 1937.

The bill as amended was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Wilson, the rules were suspended and the bill was read a third time and passed.

COMMITTEE OF CONFERENCE REPORTS

The Committee of Conference to whom was referred House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938, report the same with the following recommendations:

That the House recede from its position of non-concurrence in the following Senate amendments, namely those numbered (1), (2), (4), (5), (7), (8), (9), (10), (11), (14), (17), and (18), and concur with the Senate in the adoption of said amendments.

That the Senate recede from its position of adopting amendment numbered (16).

That the House recede from its position of non-concurrence and that the Senate recede from its position in adopting the amendments numbered (3), (6), (13), and (15) and adopt the following amendments:

(3) For the department of agriculture strike out the figure $3,980 for feeding stuffs inspection and insert in place thereof the figure $4,980; strike out the figure $2,000. salary of inspector, and insert in place thereof the figure $1,600; strike out the figure $1,250, other expenses, and insert in place hereof the figure $1,650; strike out the figure $54,660 and insert in place thereof the figure $57,660; strike out the figure $50,000, bovine disease indemnities, and insert in place thereof the following: July 1, 1937 to December 30, 1937, $32,000; January 1, 1938 to June 30, 1938, $32,000; change the total for said department from $195,510 to $212,510.

(6) For the department of forestry and recreation strike out the figure $3,700 and insert in place thereof the figure $3,850; strike out the figure $4,500 and insert in

place thereof the figure $4,650; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,653 and insert in place thereof the figure $5,353; strike out the figure $9,550 and insert in place thereof the figure $9,750; strike out the figure $3,850 and insert in place thereof the figure $4,850; change the total for said department from $74,283 to $75,883.

(13) For the state board of education strike out the entire paragraph relative to said board and insert in place thereof the following:

For said board of education as follows:

Salaries	$38,566.66
Current expenses	15,720.00
Vocational education	6,350.00
Vocational rehabilitation	5,335.67
State aid, equalization	350,000.00
superintendents' salaries	100,000.00
conferences	1,300.00
Normal schools, operation and maintenance	153,000.00
Total requirements	$670,472.33

Less revenue credited to department:

per capita tax	$161,500.00	
Literary fund	43,000.00	
unorganized places	8,000.00	
rebate ($3.50 tax)	9,000.00	
balance equalization fund	10,399.58	
		231,899.58
Net appropriation		$438,572.75

In addition to the above appropriation said department shall receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under section 40, chapter 117 of the Public Laws. In this department any balance, excepting the equalization fund,

which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

(15) For the public service commission add after the word "engineers" the words, legal fees.

ROBERT O. BLOOD,
AUSTIN L. CALEF,
PHILIP C. HEALD,
Senate Conferees.

RALPH F. SEAVEY,
HARRIS H. RICE,
ALBERT S. BAKER,
HARRY D. SAWYER,
ROBERT H. SANDERSON,
House Conferees.

On motion of Snator Kelley, the report of the Committee of Conference was adopted.

The Committee of Conference to whom was referred House Bill No. 478, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1939, report the same with the following recommendation:

That the House recede from its position of non-concurrence in the following Senate amendments, namely those numbered (1), (2), (4), (5), (7), (8), (9), (11), (14), (13), and concur with the Senate in the adoption of said amendments.

That the Senate recede from its postion of adopting amendment numbered (12).

That the House recede from its position of non-concurrence and that the Senate recede from its position in adopting the amendments numbered (3), (6), (10), (15), and adopt the following amendments:

(3) For the department of agriculture strike out the figure $3,980 and insert in place thereof the figure $4,980;

strike out the figure $2,000 and insert in place thereof the figure $1,600; strike out the figure $1,250 and insert in place thereof the figure $1,650; strike out the words and figures "bovine diseases indemnities $50,000" and insert in place thereof the following: Bovine disease indemnities July 1, 1938 to December 30, 1938, $32,000; January 1, 1939 to June 30, 1939, $32,000; strike out the figure $54,660 and insert in place thereof the figure $57,660; change the total for said department from $196,760 to $214,760.

(6) For the department of forestry and recreation strike out the figure $3,975 and insert in place thereof the figure $4,125; strike out the figure $4,500 and insert in place thereof the figure $4,650; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,553 and insert in place thereof the figure $5,253; change the total of $76,348 to $77,548; insert after said total the following:

Revenue	$3,850
Net appropriation	$73,698

(10) For the state board of education strike out the entire paragraph relative to said board and insert in place thereof the following:

For state board of education as follows:	
Salaries	$39,216.66
Current expenses	16,120.00
Vocational education	6,575.00
Vocational rehabilitation	5,362.34
State aid, equalization	350,000.00
Superintendents' salaries	100,000.00
Conferences	1,300.00
Normal schools, operation and maintenance	153,000.00
Total requirements	$671,574.00

Less revenue credited to department:		
Literary fund	$43,000	
Per capita tax	161,500	
Unorganized places	8,000	
Rebate ($3.50 tax)	9,000	
Unexpended equalization fund balance	10,399.57	231,899.58
Net appropriation		$439,674.42

In addition to the above appropriation said department shall receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under section 40, chapter 117 of the Public Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

(15) Add at the end of said section 1 of the bill the following:

For New Hampshire Water Resources board as follows:

Salary, chairman	$4,000.00
Other salaries	13,560.00
Current expenses	9,149.52
Total	$26,709.52

That the Senate and House adopt the following amendments to section 1 of said bill:

(16) For the department of weights and measures add after the words, "other salaries" the following: including a fourth inspector.

(17) For the public service commission add after the word "engineers" the words, legal fees.

ROBERT O. BLOOD,
PHILIP C. HEALD,
AUSTIN L. CALEF,
Senate Conferees.

RALPH F. SEAVEY,
HARRIS H. RICE,
ALBERT S. BAKER,
HARRY D. SAWYER,
ROBERT H. SANDERSON,
House Conferees.

On motion of Senator Daniel, further reading of the report was dispensed with.

On motion of Senator Kelley, the report of the Committee of Conference was adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 106, An act relating to municipal waterworks.

House Bill No. 465, An act enlarging the scope of the employers' liability and workmen's compensation law.

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

House Bill No. 483, An act relative to Constitutional Government day.

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

House Joint Resolution No. 138, Joint resolution relating to the calling of a constitutional convention.

LULA J. A. MORRIS,
For the Committee.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has adopted the report of the Committee of Conference to House Bill No. 477, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1938, and House Bill No. 478, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1939.

RESOLUTIONS

Senator Randall offered the following resolution:

Whereas, the Great Master of the Universe has called to His heavenly home Mrs. William Weston, wife of the beloved Chaplain of the House of Representatives; and

Whereas, Mrs. Weston was a woman of fine intellectual ability and through her Christian and friendly spirit was of invaluable service to her husband during his long ministry;

Now, therefore, Be It Resolved by the Senate of the State of New Hampshire that we extend our sincere sympathy to Chaplain Weston in the loss of his wife and partner in his Christian ministry; and

Be It Further Resolved, That a copy of this resolution be made a part of the Journal of the Senate and a like copy of these resolutions be sent by the Clerk of the Senate to Rev. William Weston.

DON W. RANDALL,
HOWARD H. HAMLIN,
J. VINCENT MORAN,
Committee on Resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in

order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

WEDNESDAY, JULY 14, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following concurrent resolutions:

Concurrent Resolution, Relating to added facilities for the sick and disabled service men and war veterans at the Portsmouth Naval Hospital.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill, with amendment, in the pass-

age of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 121, An act relating to exemptions from taxation.

Amend said bill by inserting in section one, in the sixth line, after the words "clergy in active service" the following: "or to personal property owned and real estate owned and occupied by the Grand Army of the Republic, to the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion," so that said section as amended shall read as follows:

SECTION 1. The exemptions referred to in sections 22, 24 and 25 of this chapter, as regards real estate hereafter acquired by such institutions, shall apply only to subsequent improvements therein and thereon, and the real estate so acquired shall be assessed and taxed as other similar land and real estate in the vicinity is assessed and taxed. This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service or to personal property owned and real estate owned and occupied by the Grand Army of the Republic, to the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation.

On motion of Senator Hamlin, the Senate voted to concur in the amendment sent up from the House of Representatives.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 127, An act to amend Chapter 284 of the Public Laws relating to the sale of securities.

House Bill No. 484, An act to amend the charter of the city of Nashua.

House Bill No. 52, An act establishing a board of regis-

tration of hairdressers and regulating the occupation of hairdressing.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 477, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1938.

Amend section 1 of said bill as follows:

Amend the paragraph relative to the judicial department by inserting after the word "painting" the word, rooms.

Amend the paragraph relative to the University by striking out the words, "which is" and inserting in place thereof the word, as.

Amend section 2 of said bill by inserting after the word "effect" the words, as of.

On motion of Senator Wilson, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills sent up by the House of Representatives.

READ AND REFERRED

The following entitled bill sent up by the House of Representatives was read a first and second time and referred to the Committee on the Judiciary, House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

COMMITTEE REPORTS

Senator Allen for the Committee on Fisheries and Game to whom was referred House Bill No. 409 (new draft), An act relating to lobster industry, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out paragraph 33-g thereof and substituting therefor the following:

33-g. *License for Selling.* No person except hotels and restaurants serving cooked lobster to guests for immediate consumption as food shall sell lobster meat without first procuring a license. The director shall issue such licenses for a period of one year and the annual fee therefor shall be two dollars ($2.00).

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Allen for the Committee on Fisheries and Game to whom was referred House Bill No. 489, An act relating to taking brook trout in certain brooks in the Town of Errol and in Martin Meadow Pond in Lancaster, having considered the same, report the same without amendment and recommend that the bill ought to pass.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 409 (new draft), An act relating to the lobster industry.

House Bill No. 489, An act relating to taking brook trout in certain brooks in the Town of Errol and in Martin Meadow Pond in Lancaster.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, JULY 15, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Burque and Eames were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 134, An act relating to suits by minors.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 409 (in new draft), An act relating to the lobster industry.

The message further stated that the House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 19, 1937.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives were read a first and second time and re-

ferred to the Committee on Judiciary, House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 19, 1937.

On motion of Senator Eastman, the rules were suspended, reference to Committee dispensed with and the bill read a third time and passed.

INTRODUCTION OF JOINT RESOLUTION

Senator Wilson for the Committee on Rules introduced the following joint resolution which was read a first and second time, laid on the table to be printed and referred to the Committee on Finance.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

COMMITTEE REPORTS

Senator Hamlin for the Committee on Revision of Laws to whom was referred House Bill No. 96, An act to make uniform the transfer of stock, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Cole for the Committee on Military Affairs, to whom was referred House Bill No. 313, An act to provide for the construction and equipment of an Armory in the City of Manchester, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 107 (in new draft), An act relating to public welfare, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the words "may remove him for cause" in the fifth and sixth lines and

inserting in place thereof the words he shall serve during the pleasure of the board so that said section as amended shall read as follows:

4. *Director.* Said board shall appoint a state director of welfare who, under its direction, shall give his entire time to the duties of his office and who shall serve as the executive and administrative officer of the department. Said board shall fix the compensation of said director, subject to the approval of the governor and council, and he shall serve during the pleasure of the board. Said director shall have and exercise all powers and duties now granted or imposed by law upon the secretary of the state board of public welfare and such other duties as may be assigned to him by the board.

Amend paragraph V of section 6 of said bill by striking out the words "or other remedial" so that said paragraph as amended shall read as follows:

V. *Medical Care of Needy.* In cooperation with the state health authorities and county and local officials, to develop and administer a plan for providing medical care for needy persons.

Amend paragraph X of said section 6 by adding at the end thereof the words, and welfare services, so that said paragraph as amended shall read as follows:

X. *Cooperation, Federal, State, Local.* To cooperate with the federal government in carrying out the purposes of the federal social security act and in other matters pertaining to public welfare and public assistance including the adoption, so far as is consistent with the provisions hereof, of such methods of administration as are found by the federal government to be necessary for the efficient operation of the plan for such assistance and welfare services.

Amend said section 6 by inserting after paragraph X the following new paragraph:

XI. *Cooperation, State, Local.* To cooperate with other departments, agencies and institutions, both state and local,

in performing services in conformity with the purposes of this act.

Change the numbering of paragraphs XI and XII of said section 6 to XII and XIII, respectively.

Amend paragraph I of section 7 by striking out the paragraph numbered (b) and by striking out the paragraph numbered (c) and inserting in place thereof the following:

(b) The word "aid" means money payments with respect to a dependent child or dependent children.

Amend paragraph III of said section 7 by striking out the word "parent" in the third line and inserting in place thereof the word relative so said paragraph as amended shall read as follows:

III. Application for aid hereunder shall be made to the board on forms provided for this purpose by said board. Such applications shall be made by the relative having custody of the dependent child and shall contain such information as may be required by the board.

Amend paragraph I of section 10 by striking out the words "thirty-three and one-third" and inserting in place thereof the words, twenty-five so that said paragraph as amended shall read as follows:

I. On account of moneys expended by them for direct relief to the extent of twenty-five per cent of the amount so expended;

Amend section 12 by striking out the same and inserting in place thereof the following:

12. *Non-compliance with Orders.* If any county, city or town, or any officer thereof shall, in the opinion of the board, fail substantially to comply with any order, rule or regulation issued by the director in accordance with the provisions hereof relative to public assistance the board may assume the administration of such assistance in such county, city or town. During the period when the board shall assume such administration, the director is hereby authorized to exercise such of the authority and powers vested in agencies or officers of said county, city or town in respect to

such public assistance as the board deems expedient and to grant or administer such assistance. The board shall determine the amount expended under the provisions of this section on account of such administration and the county, city or town shall reimburse the state for its proportion of such expenditures. The amounts received from counties, cities or towns under the provisions of this section shall be paid into the public assistance fund hereinafter established to reimburse said fund for payments made under the provisions of this section on account of said county, city or town.

Amend section 16 of said bill by inserting after the words "unemployment relief" the words, public assistance so that said section as amended shall read as follows:

16. *Voting Rights Not Affected.* While federal funds are available the receipt of unemployment relief, public assistance, or of other temporary aid granted under the provisions hereof shall not make the recipient thereof, or any member of his family, a pauper within the terms of the election laws of this state, nor affect his or their civil or political status in any way.

Amend section 19 of said bill by striking out the same and inserting in place thereof the following:

19. *Public Assistance Fund.* (1) All moneys advanced to or otherwise placed at the disposal of the state by the federal government and accepted by the state under the provisions of section 13, (2) all moneys received from counties, towns or cities as reimbursement under the provivions of section 12, (3) the sums appropriated for welfare and relief under the two acts making appropriations for the state for the years ending June 30, 1938 and June 30, 1939, (4) the moneys appropriated under the provisions of section 21 hereof, (5) the proceeds of the sale of any notes authorized under the provisions of section 22, and (6) such sums as the governor and council from time to time may authorize to be transferred from the special fund constituted by chapter 126 of the Laws of 1931 to said public assistance fund shall be kept by the state treasurer in a

separate fund to be known as the public assistance fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this act and other purposes of the board authorized by law.

Further amend said bill by inserting after section 19 the following new sections:

20. *Transfer of Funds.* In making grants and reimbursements to counties, cities and towns, as provided for herein, the state may use such surplus funds as are held in the special fund constituted by chapter 126 of the Laws of 1931, as amended, which are not needed for the sinking fund, as the governor and council may authorize the state treasurer to transfer from time to time from said special fund to the public assistance fund.

21. *Appropriation.* For each of the fiscal years ending June 30, 1938, and June 30, 1939, the sum of seven hundred thousand dollars ($700,000) is hereby appropriated payable out of any funds in the treasury not otherwise appropriated.

22. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act the state treasurer is hereby authorized in the discretion of the governor and council to borrow in such amounts as may be determined by the governor and council upon the credit of the state four hundred thousand dollars ($400,000) for the fiscal year ending June 30, 1938, and four hundred thousand dollars ($400,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1939, and for that purpose may issue notes in the name of, and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denomination, at such dates of maturity and at such time as the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The

secretary of state shall keep an account of all such notes countersigned by the governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasury. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in such manner as they may deem most advantageous to the state. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section, no account shall be made of duplications due to extensions or refundings.

Further amend said bill by renumbering sections 20 and 21 to be sections 23 and 24, respectively.

Further amend said bill by adding after section 24, as renumbered, the following new section:

25. *Saving Clause.* The invalidity of any provision of this act shall not affect the validity of any other provision.

Further amend said bill by striking out section 22 and inserting in place thereof the following with a new numbering.

26. *Takes Effect.* This act shall take effect July 31, 1937.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Calef, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Calef, for the Committee on Finance, to whom was referred House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale, New Hampshire.

Having consedered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

On motion of Senator Cole, the resolution relating to the joint convention for the purpose of canvassing the votes for the constitutional convention was taken from the table and the Senate concurred with the House of Representatives in the adoption of the resolution.

The President declared a recess.

(Recess)

The Senate re-assembled.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 127, An act relating to the sale of securities.

House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264, An act to regulate the practice of barbering.

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 484, An act to amend the charter of the city of Nashua.

LULA J. A. MORRIS,
For the Committee

Senator Wilson being unable to agree with the Committee of Conference on House Bill No. 444, An act relating to the operation of a recreational field by the city of Berlin, requested instructions from the Senate in regard to his position on the committee.

(Discussion ensued)

On motion of Senator Hanson, the Senate instructed Senator Wilson to recede from his position and concur with the several conferees.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 96, An act to make uniform the transfer of stock.

Senate Bill No. 107 (in new draft), An act relating to public welfare.

On motion of Senator Guyer, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning it be to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, JULY 16, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 16, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JULY 19, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 19, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JULY 20, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Kelley and Mahoney were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following resolution:

Resolved, That the House of Representatives will be ready to meet the Honorable Senate at 12 o'clock today for the purpose of canvassing the ballots cast in the recent election on the question "Is it advisable to call a Constitutional Convention for the purpose of revising the Constitution?"

On motion of Senator Wilson, the following resolution was adopted:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention at 12 o'clock today for the purpose of canvassing the ballots cast in the recent election on the question, Is it advisable to call a Constitutional Convention for the purpose of revising the Constitution?

COMMITTEE REPORTS

Senator Mahoney for the Committee on Fisheries and Game, to whom was referred House Bill No. 457, An act relating to the general provisions of the Fish and Game Laws, propagation of fish and game, licenses and registration of guides, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend paragraph 2, section 1, chapter 144, Laws of 1937 by adding after the word "Errol" in line 2, the words, Mirror Lake in Whitefield, so that said paragraph as amended shall read as follows:

II. Long pond in Benton, Lucas pond in Northwood, Martin Meadow pond in Lancaster, Millsfield pond brook in Millsfield and Errol, Mirror Lake in Whitefield; Mount William pond in Weare, Nippo pond in Barrington.

Amend House Bill No. 457 by striking out, in section 25, lines 6, 7, 8, 9, 10, 11, 12, and 13, and substituting in place thereof the following:

1. *When Required; Exhibiting.* No person except as hereinafter provided shall at any time fish, hunt, trap, shoot, pursue, take or kill fresh water fish, wild birds or wild animals in this state, without first procuring a license so to do, and then only in accordance with the terms of such license and subject to all the provisions of this title. The licensee shall wear such license, prominently displayed, on the front of the outer garment, in a metal case, furnished by the department at the time such license is issued, or a license button as the case may be, and the same shall be subject to inspection on demand by any person.

Amend section 14 by striking out lines 4, 5, 6, and substituting in place thereof the following:

7. *Visiting.* A person shall visit his traps at least once in each calendar day but such visiting hours shall be between one-half hour before sunrise and one-half hour before sunset only.

Amend House Bill No. 457 by adding the following new section:

3a. No person shall have in his possession, while hunting any wild bird, or wild animal, including bear, any jack or artificial light, swivel, pivot or set gun, except as otherwise permitted. Any person convicted of illegal night hunting shall forfeit such firearms, jacks or other equipment used or usable in the illegal night hunting at the time of such violation.

Amend chapter 201, section 26 as inserted by chapter 124:5, section 26 of the Laws of 1935 by striking out said section and inserting in place thereof the following new section:

26. *Penalties.* ———. A person who violates a provision of the preceding sections shall be fined as follows: for each violation of sections 1 to 15 inclusive, not more than ten dollars, and not more than five dollars for each fish taken, possessed, bought or sold in violation thereof; of sections 16 to 20 inclusive, not more than fifty dollars; of section 21, not more than ten dollars, and not more than five dollars for each fish taken, possessed, bought or sold in violation thereof; of sections 22, 23, 24 and 25, not less than ten and not more than fifty dollars.

The report was accepted.

On motion of Senator Cole, the bill with the accompanying report was laid on the table.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 257, An act making appropriation for a program of service to crippled children, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered in budget.

The report was accepted and the recommendation of the committee adopted.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 136, An act to make available the New Hampshire Law Reports, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out the words, or otherwise in line 6, section 2, so that said section as amended shall read as follows:

2. *Duties.* The committee shall undertake to make available to the public at reasonable cost, reports of the decisions of the courts of last resort of this state. It is hereby

authorized to sell or place on sale such reports or parts of reports as now belong to the state, and to arrange for the publication, printing and sale, subject to the supervision and control of the committee at private expense, of such volumes of reported decisions of said courts as it may deem expedient, and in connection therewith to use any reports or parts of reports now belonging to the state; and said committee is authorized to enter into such agreements or contracts with reference to said publication, printing, and sale, and the use and sale of said reports or parts of reports belonging to the state as may be necessary or proper to accomplish the purposes of this act.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 96, An act to make uniform the transfer of stock, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Business Corporations.* Amend chapter 225 of the Public Laws by striking out the subdivision relating to transfer of stock, being sections 51 to 53 inclusive, and inserting in place thereof the following new subdivision:

Further amend said section 1 of said bill by renumbering the sections of the subdivision from 51 to 53-t, respectively; by striking out the words and figures "sections 52 to 71, inclusive" where they occur in said section 1 and inserting in place thereof the words, this subdivision and by changing the references to sections to the above stated new numbering.

Amend section 2 of said bill by striking out the same.

Renumber section 3 of the bill to read section 2.

Change the word "Commonwealth" to state when it occurs in said section 1.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

Senate Bill No. 134, An act relating to suits by minors.

House Bill No. 409, An act relating to the lobster industry.

House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster.

House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 17, 1937.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

LULA J. A. MORRIS,
For the Committee.

The President declared a recess.

(Recess)

The Senate re-assembled to meet the House of Representatives in joint convention.

(See House Journal).

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

Senate Bill No. 136, An act to make available the New Hampshire Law Reports.

On motion of Senator Eames, the Senate adjourned.

WEDNESDAY, JULY 21, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Heald was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 11 (in second new draft), An act relating to a State House Annex in the city of Concord.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 105, An act relating to observance of the Lord's Day.

The message further stated that the House of Representatives has passed the following joint resolutions, in the

passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the Federal Constitution by the State of New Hampshire.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bills, with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

Amend by striking out all after the enacting clause and substituting in place thereof the following:

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 4-a. *Trailers and semi-trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, refreshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportation of poles, not to exceed three in number, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

2. Rules and regulations prescribed by the Motor Vehicle Commissioner pertaining to truck brake inspections shall apply to trailers and semi-trailers.

3. *Takes Effect.* This act shall take effect sixty (60) days after its passage.

On motion of Senator Hanson, the Senate voted to con-

cur with the House of Representatives in the adoption of the amendment.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

To the Committee on Judiciary:

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the Federal Constitution by the State of New Hampshire.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

Senate Bill No. 11, An act relating to a State House Annex Building in the City of Concord.

On motion of Senator Eastman, the following resolution was adopted:

Resolved, That the Clerk be instructed to suitably thank Captain Lavallee of the Steamer Mount Washington for the pleasant trip on the boat.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Daniel, the Senate adjourned.

THURSDAY, JULY 22, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Eames was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 96, An act to make uniform the transfer of stock.

TAKEN FROM TABLE

On motion of Senator Cole, House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides, with the accompanying report was taken from the table.

On motion of Senator Cole, the words, ought to pass in new draft and new title were substituted for ought to pass as amended.

On motion of the same Senator, the rules were suspended, reading and reference to Committee dispensed with and the following entitled bill was read a third time and passed.

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides.

The bill in its new draft and title was sent to the House of Representatives for concurrence.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Calef, the rules were suspended to introduce a Committee report not previously advertised in the journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 313, An act to provide for the construction and equipment of an armory in the City of Manchester, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two oclock.

On motion of Senator Burque, the rules were suspended to introduce a Committee report not previously advertised in the journal.

Senator Burque for the Committee on Ways and Means, to whom was referred House Bill No. 433, An act relative to athletic exhibitions, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF JOINT RESOLUTION

Senator Wilson for the Committee on Rules introduced the following entitled joint resolution which was read a first and second time and referred to the Committee on Finance.

Senate Joint Resolution No. 12, Joint resolution in favor of the town of Bartlett.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 313, An act to provide for the construction and equipment of an Armory in the City of Manchester.

House Bill No. 433, An act relative to athletic exhibitions.

On motion of Senator Guyer, the following resolution was adopted.

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Randall, the Senate adjourned.

FRIDAY, JULY 23, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 23, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, JULY 26, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 26, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, JULY 27, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Randall was granted leave of absence for the day on account of important business.

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has refused to concur with the Honorable Senate in the passage of the following joint resolution:

Senate Joint Resolution No. 5, Joint resolution in favor of the Supreme Court.

COMMITTEE REPORTS

Senator Doe for the Committee on Engrossed Bills to whom was referred Senate Bill No. 121, An act relating to exemptions from taxation, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first nine lines and inserting in place thereof the following:

1. *Application of Provisions.* Amend section 25-a of chapter 60 of the Public Laws, as inserted by chapter 148 of the Laws of 1931, by striking out said section and inserting in place thereof the following: 25-a. *Improvements only Exempted; Limitations.*

Further amend said section 1 by striking out the words "personal property owned and" in the twenty-third and twenty-fourth lines.

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills to whom was referred House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by adding at the end thereof the following: From the proceeds of the sale of bonds herein authorized the state treasurer shall reimburse the general funds of the state for any moneys drawn therefrom for the purposes of this act.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

COMMITTEE OF CONFERENCE REPORT

The Conference Committee to whom was referred House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin, report the same with the following recommendation: That the Senate recede from its position in adopting its amendment and the House recede from its position of non-concurrence in said amendment and that the Senate and House adopt the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Berlin Recreational Field.* Amend section 6 of "An Act to authorize the City of Berlin to acquire a piece of land in the town of Milan and to operate a recreation field thereon" approved February 12, 1937, by striking out said section and inserting in place thereof the following: 6. *Operation.* Said recreation field and structures thereon or therein shall be operated for the benefit of the public and all structures and improvements connected therewith shall be exempt from taxation, provided that the city of Berlin shall

make payments on or before the first day of November of each year to the said town of Milan of a sum equal to the taxes which would have been assessed against said field if the same had been included in the list of taxable property for such year at the assessed valuation of the same as determined for the tax year 1936. Said field shall be policied by the officials of said Milan when requested and paid by the city of Berlin. The regulation of business, plays, games, sports and exhibitions on the Lord's Day on said field shall be governed by ordinances adopted by the city of Berlin in accordance with the provisions of law relative thereto. All revenue received on account of said field or structures shall be paid to the city treasurer at least once a month, who shall hold the same in a separate fund, designated as the "recreational fund" to be used solely for the erection and maintenance of structures on said field.

ALLAN M. WILSON,
EMMET J. KELLEY,
Senate Conferees.

HILDA C. F. BRUNGOT,
LLOYD E. FOGG,
GEO. T. STUDD,
House Conferees.

On a *viva voce* vote, the affirmative prevailed and the report of the Committee was adopted.

BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 96, An act to make uniform the transfer of stock.

HAVEN DOE,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Daniel, the Senate adjourned.

WEDNESDAY, JULY 28, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 496, An act making a further extension of the appropriation heretofore made for old age assistance and poor relief.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 313, An act to provide for the construction and equipment of an Armory in the City of Manchester.

Senate Bill No. 121, An act relating to exemptions from taxation.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference on House Bill No. 444, An act relating to the operation of a recreational field by the city of Berlin.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 133, An act relative to unemployment compensation.

Amend paragraph (f) on page 10 by inserting in line 160 after the word "animals" the words, and service performed in the employ of fraternal organizations, so that said paragraph as amended will read as follows:

(f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, and service performed in the employ of fraternal organizations, no part of the net earnings of which inures to the benefit of any private shareholder or individual:

Amend paragraph D on page 16 by striking out in line 48 the figures "18" and inserting in place thereof the figures, 16; further amend by striking out in line 49 the word "one-fifth" and inserting in place thereof the word, one-sixth, so that said paragraph as amended will read as follows:

D. *Duration of Benefits.* The commissioner shall compute wage credits for each individual by crediting him with the wages earned by him for employment by employers during each quarter, or $390, whenever is the lesser. Benefits paid to any eligible individual shall be charged, in the same chronological order as such wages were earned, against one-sixth of his wage credits which are based upon wages earned during his base period and which have not been previously charged hereunder. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed whichever is the lesser of (1) 16 times his weekly benefit amount, and (2) one-sixth of such uncharged wage credits with respect to his base period.

Amend paragraph (2) on page 31 by striking out in line 32 the words "calendar year 1937" and inserting in place thereof the following, period between January 1, 1937 and

September 30, 1937, so that said paragraph as amended will read as follows:

(2) 2 per centum with respect to employment during the period between January 1, 1937 and September 30, 1937.

Amend paragraph (3) on pages 31 and 32 by striking out in line 34 the figure "3" and inserting in place thereof the figure, 2.7; further amend by renumbering said paragraph as (4), so that said paragraph as amended shall read as follows:

(4) With respect to employment after December 31, 1937, 2.7 per centum, except as otherwise prescribed in subsection E of this section.

Amend paragraph B on page 31 by inserting a new paragraph (3) as follows:

(3) 1.8 per centum with respect to employment during the calendar year 1937 subsequent to September 30, 1937.

Amend paragraph C on pages 32 and 33 by striking out in line 39 the words "for each calendar year"; further amend by striking out in line 51 the figures "18" and inserting in place thereof the figures 16; further amend by striking out in line 60 the following "$78" and substituting in place thereof the word, one-sixth; further amend by striking out in line 60 the folowing "$78" and substituting in place thereof the following, $65, so that said paragraph C as amended will read as follows:

C. *Separate Accounts.* The commissioner shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this Act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount hereinafter provided against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately pre-

ceding the first week of any continuous period of unemployment, wages for employment by such most recent employer equal to more than 16 times his weekly benefit amount, such benefits may also be charged against the account of his next most recent employer, in the inverse chronological order in which the employment of such individual occurred. The maximum amount so charged against the account of any employer shall not exceed one-sixth of the wages payable to such individual by each such employer for employment which occurs on and after the first day of such individual's base period, but not more than $65 per completed calendar quarter or portion thereof, which occurs within such base period; but nothing in this section shall be construed to limit benefits payable pursuant to section 2 of this chapter. The commissioner shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

Amend paragraph E on page 34 by striking out in line 77 the figures "1942" and substituting in place therefor the figures, 1941, so that said paragraph as amended will read as follows:

E. *Merit Ratings.* The commissioner shall, for the year 1941 and for each calendar year thereafter, classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience. The commissioner shall determine the contribution rate of each employer in accordance with the folliwing requirements:

Amend paragraph (1) on page 34 by striking out in line 1 the figure "3" and substituting in place thereof the figure, 2.7; further amend by striking out in line 87 the figure "3" and substituting in place thereof the figure, 2.7; further amend by inserting in line 89 after the word "any" the

word, one, so that said paragraph as amended will read as follows:

(1) Each employer's rate shall be 2.7 per centum, except as otherwise provided in the following provision. No employer's rate shall be less than 2.7 per centum unless and until there shall have been three calendar years throughout which any one individual in his employ could have received benefits if eligible.

Amend paragraph (3) on page 36 by striking out in line 112 the word "three" and substituting in place thereof the figure, 2.7, so that said paragraph as amended will read as follows:

(3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 2.7 per centum, unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Amend on pages 36, 37, 38, 39 and 40 by striking out all of paragraph F.

Amend paragraph A on pages 42 and 43 by inserting in line 12 after the word "of" in line 12 the words, monies or, so that said paragraph as amended will read as follows:

A. *Establishment and Control.* There is hereby created the Unemployment Compensation Fund to be administered by the commissioner, subject to audit by the comptroller without liability on the part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions collected under this chapter, together with any interest thereon collected pursuant to section 11 A of this chapter; all fines and penalties collected pursuant to this chapter and all interest earned upon any moneys in the fund; any properties or securities acquired through use of monies or securities belonging to the fund; and all earnings

of such properties or securities. All moneys in the fund shall be mingled and undivided.

Amend paragraph (3) on page 36 by striking out in line 113 the word "of" and substituting in place thereof the words, credited to his account in, so that said paragraph as amended shall read as follows:

(3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 2.7 per centum, unless the total assets credited to his account in the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Amend paragraph (4) on page 36 by adding at the end thereof the words, The term "wages" as used in this paragraph shall not include wages in excess of $3,000.00 payable to an individual in any calendar year, so that said paragraph as amended shall read as follows:

(4) As used in this section the term "annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year, and the term "average annual payroll" means the average of the annual payrolls of an employer for the last three or five preceding calendar years, whichever average is higher.

The term "wages" as used in this paragraph shall not include wages in excess of $3,000.00 payable to an individual in any calendar year.

Senator Hamlin moved that the Senate concur in the amendments sent up by the House of Representatives.

(Discussion ensued)

On a *viva voce* vote Chair in doubt.

Senator Heald demanded a roll call.

The question being stated,

Shall the Senate concur in the amendments sent up by the House of Representatives?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Eames, Simpson, Stafford, Hamlin, Freeman, Burque, Mahoney, Moran, Daniel, Cole and Allen.

The following named Senators voted in the negative: Senators Guyer, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe and Calef.

Paired Senator Morris voting in the affirmative and Senator Conner voting in the negative.

Twelve Senators having voted in the affirmative and nine in the negative, the affirmative prevailed and the Senate voted to concur in the amendments sent up by the House of Representatives.

Senator Hamlin moved that the Senate reconsider their vote whereby they concurred in the amendments sent up from the House of Representatives, and on the reconsideration demanded a roll call.

The question being stated,

Shall the Senate reconsider their vote?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Guyer, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe and Calef.

The following named Senators voted in the negative: Senators Kelley, Eames, Simpson, Stafford, Hamlin, Freeman, Burque, Mahoney, Moran, Daniel, Cole and Allen.

Paired Senator Morris voting in the negative and Senator Conner voting in the affirmative.

Nine Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed and the motion to reconsider was lost.

READ AND REFERRED

The following entitled bill sent up from the House of

Representatives was read a first and second time and referred to the Committee on Finance:

House Bill No. 496, An act making a further extension of the appropriation heretofore made for old age assistance and poor relief.

COMMITTEE REPORTS

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 433, An act relative to athletic exhibitions, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the paragraph numbered 14 and inserting in place thereof the following:

14. *Permits, Licenses.* No person shall participate as a contestant, manager, referee, second, or timekeeper in any boxing or wrestling contest, bout or exhibition within the state without having first procured from the commission a permit or license to so act. Such permits or licenses may be revoked by the commission for cause.

Amend paragraph numbered 15 of said bill by striking out the same and inserting in place thereof the following:

15. *Fees.* For the period of one year from the date of the passage of this act the following fees for permits and licenses are established: Permit, (which shall be valid for one show only) promoter, three dollars, boxer or wrestler, three dollars, for main bout or all star exhibition, two dollars for semi-final bout and one dollar for preliminary bout, second, one dollar, timekeeper, one dollar, manager, two dollars; annual license, (which shall be valid for one year) promoter, twenty-five dollars, boxer, seven dollars, manager, ten dollars, referee, ten dollars, second, five dollars and timekeeper, five dollars. The commission may issue to an amateur boxer or wrestler an amateur card which shall be valid for one year. The fee for such amateur card shall be twenty-five cents.

Amend the paragraph numbered 26 by striking out the word "supreme" and inserting in place thereof the word, superior, where it occurs in said paragraph.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

COMMITTEE OF CONFERENCE

Senator Hamlin for the Committee of Conference on House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, having considered the matter, reported that they are unable to agree, and recommend that the Committee of Conference be appointed.

HOWARD H. HAMLIN,
ARTHUR O. BURQUE,
Senate Conferees.

C. B. ETSLER,
WILLIAM J. AHERN,
BERTRAM W. PULSIFER,
House Conferees.

On motion of Senator Blood, the Senate voted to accede to the request of the committee.

Pursuant to the above request, the President appointed as members of another Committee of Conference Senators Hamlin and Burque.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules, introduced the following bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

. Senate Bill No. 137, An act relating to powers of Governor and Council.

On motion of Senator Hamlin, the rules were suspended,

printing and reference to committee dispensed with and the foregoing bill was read a third time and passed.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the national guard.

Senate Bill No. 121, An act relating to exemptions from taxation.

House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester.

HAVEN DOE,
For the Committee.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Hanson the following resolution was adopted:

Resolved, That the rules be suspended and that His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request His Excellency returned to the Senate for further consideration the above entitled bill.

On motion of the same Senator, the rules were further suspended to reconsider the vote whereby the Senate concurred in the amendments sent up by the House of Representatives.

On motion of the same Senator, the Senate voted to nonconcur in the adoption of the amendments and asked for a Committee of Conference.

Pursuant to the above the President appointed as mem-

bers of the committee on the part of the Senate Senators Hanson and Randall.

The President declared a recess.

(Recess)

The Senate re-assembled.

ORDER VACATED

On motion of Senator Blood, the order whereby House Bill No. 496, An act making a further extension of the appropriations heretofore made for old age assistance and poor relief, was referred to the Committee on Finance, was vacated.

On motion of the same Senator, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Eames, the Senate adjourned.

THURSDAY, JULY 29, 1937.

The Senate met according to adjournment.

Senator Kelley in Chair.

LEAVE OF ABSENCE

Senator Eames was granted leave of absence for the day on account of illness.

Senators Guyer, Burque and Mahoney were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has adopted the report of the Committee of Conference on House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand, or name, and the Speaker has appointed as new members on such Committee on the part of the House, Messrs. Hart of Wolfeboro, Wadleigh of Milford, and Fecteau of Epping.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 12, Joint resolution in favor of the Town of Bartlett, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committeee adopted.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 485, An act authorizing the Jaffrey School District in the Town of Jaffrey to borrow money and to issue serial notes or bonds, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second

time, laid on the table to be printed and referred to the Committee on Finance.

Senate Bill No. 138, An act relative to the sale of prison made pipe and crushed stone to municipalities.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following bill and joint resolution were read a third time and passed.

House Bill No. 485, An act authorizing the Jaffrey School District in the Town of Jaffrey to borrow money and to issue serial notes or bonds.

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

On motion of Senator Cole, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Daniel, the Senate adjourned.

FRIDAY, JULY 30, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., July 30, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,
President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, AUGUST 2, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

Concord, N. H., August 2, 1937.

SENATOR FREEMAN:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, AUGUST 3, 1937.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives concurs with the Honorable Senate in the passage of the following entitled joint resolution with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

Amend said resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of two hundred fifty dollars ($250) be and hereby is appropriated to compensate John Fredette of Westmoreland for injuries received while working on a bridge on a state aided road in said Westmoreland January 8, 1937, and the further sum of one hundred and thirty-six dollars ($136) be and hereby is appropriated for the Elliott Community Hospital of Keene in payment of hospital expenses incurred by said John Fredette as a result of said injuries. The appropriations hereby made shall be in full settlement of said claim and shall be a charge upon the highway fund.

On a *viva voce* vote the Senate voted to adopt the amendment sent up by the House of Representatives.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 433, An act relative to athletic exhibitions.

The message further stated that the House of Representatives has acceded to the request of the Honorable Senate for a committee of conference to Senate Bill No. 126, An act relative to equipment of trailers, and semi-trailers, and the Speaker has appointed as members on such committee on the part of the House Messrs. Avery of Goffstown, Mudgett of Conway and Stearns of Concord.

COMMITTEE REPORTS

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds, having considered the same, report the same under joint rule No. 6 with the following amendments and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by striking out all after the word "district" in the sixth line.

Amend said bill by inserting after section 3 the following new section:

4. *Application of Laws.* Except as otherwise provided in this act and the provisions of the Municipal Bonds Statute shall apply to the notes or bonds herein authorized.

Further amend said bill by renumbering section 4 to read section 5.

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in the Senate amendments.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, having considered the same recommend that the Senate recede from its position in adopting its amendments and that the House recede from its position of non-concurrence and that the following amendment be adopted:

Amend by striking out section 5.

Further amend by renumbering sections 6 and 7 to read 5 and 6.

HOWARD H. HAMLIN,
ARTHUR O. BURPEE,
Conferees on the part of the Senate.

H. H. HART,
F. T. WADLEIGH,
THOMAS W. FECTEAU,
Conferees on the part of the House.

The report was accepted and the recommendations of the Committee adopted.

Senator Hamlin moved that the order whereby House Bill No. 480, An act relating to a state prison farm, was referred to the Committee on Finance be vacated.

(Discussion ensued)

Senator Hamlin withdrew his motion.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 133, An act relative to unemployment compensation.

House Bill No. 433, An act relative to athletic exhibitions.

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

LULA J. A. MORRIS,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon be made in order at the present time.

On motion of Senator Daniel, the Senate adjourned.

WEDNESDAY, AUGUST 4, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed bills with the following titles, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 495, An act providing for a constitutional convention.

House Bill 490, An act relating to transportation of pupils attending approved private schools.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference on the following bills:

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

House Bill No. 277 (in new draft), An act relating to marriage.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Bill No. 495, An act providing for a constitutional convention.

To the Committee on Judiciary:

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

COMMITTEE OF CONFERENCE REPORTS

The Committee of Conference to whom was referred House Bill No. 277 (in new draft), An act relating to

marriage, report the same with the recommendation that the House recede from its position of non-concurrence and concur with the amendments sent down by the Senate.

ARTHUR L. CALEF,
ALLEN M. FREEMAN,
C. F. EASTMAN,
Conferees on part of Senate.

H. H. HART,
RUDOLPH G. CARTIER,
DONALD W. SALTMARSH,
FRED A. JONES,
JOHN R. KELLY,
Conferees on part of House.

On a *viva voce* vote the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, having considered the same, recommend that the Senate recede from its position of non-concurrence in adopting the amendments sent up by the House of Representatives and that the House recede from its position in adopting its amendments and that the following amendment be adopted:

Amend the bill by inserting in line 11 of section 1 after the word, of, cables or, so that the bill as amended shall read as follows:

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 4-a. *Trailers and Semi-Trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, refreshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportation

of cables or poles, not to exceed three in number, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

2. Rules and regulations prescribed by the Motor Vehicle Commissioner pertaining to truck brake inspections shall apply to trailers and semi-trailers.

3. *Takes Effect.* This act shall take effect sixty (60) days after its passage.

W. B. HANSON,
DON W. RANDALL,
Conferees on part of Senate.

CLARENCE J. AVERY,
RALPH L. STEARNS,
PERLEY MUDGETT,
Conferees on part of House.

On a *viva voce* vote the Senate voted to adopt the report of the Committee of Conference.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Calef the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 138, An act relative to the sale of prison-made pipe and crushed stone to municipalities, having considered the same, report the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and recommendation of the committee adopted.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 480, An act relating to a State Prison Farm, having considered the same, report the same without recommendation.

The report was accepted.

The question being stated

The bill being still on its second reading is open to further amendment.

Senator Blood offered the following amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Employment of Prisoners.* For the purpose of providing employment for prisoners at the state prison lands owned by the state and now under the control of the state prison may be developed for such agricultural use as may be deemed necessary for the purposes hereof.

2. *Appropriation.* The sum of three thousand dollars is hereby appropriated for the purchase of supplies, materials, equipment and building a piggery for the purposes mentioned in section 1 hereof. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. *Takes Effect.* This act shall take effect upon its passage.

(Discussion ensued)

On a *viva voce* vote Chair in doubt.

Senator Blood demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Guyer, Hanson, Randall, Eastman, Blood, Wilson and Doe.

The following named Senators voted in the negative: Senators Kelley, Eames, Simpson, Stafford, Hamlin, Freeman, Burque, Moran, Daniel, Calef, Cole, and Allen.

Paired Senator Heald voting in the affirmative with Senator Mahoney voting in the negative.

Eight Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

Senator Hanson offered the following amendment.

Amend section 1 of said bill by striking ot the words and figures "twenty-five thousand dollars ($25,000)" and in-

serting in place thereof the words and figures, seventeen thousand dollars ($17,000), so that said section as amended shall read as follows:

1. *State Prison Farm.* The sum of seventeen thousand dollars ($17,000) is hereby appropriated for the purchase and equipment of a suitable farm for use by the state prison.

(Discussion ensued)

On a *viva voce* vote the negative prevailed.

Senator Eastman demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Simpson, Guyer, Hanson, Randall, Eastman, Blood, Wilson, Doe, and Calef.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Stafford, Hamlin, Freeman, Burque, Moran, Daniel, Cole and Allen.

Paired Senator Heald voting in the affirmative and Senator Mahoney voting in tthe negative.

Nine Senators having voted in the affirmative and eleven Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

The question being stated.

Shall the bill be read a third time?

On a *viva voce* vote the affirmative prevailed and the bill was ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Fisheries and Game.

Senate Bill No. 139, An act relative to canned lobster meat.

On motion of Senator Cole, the rules were suspended, printing and reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

House Bill No. 496, An act making a further extension of the appropriation heretofore made for old age assistance and poor relief.

LULA J. A. MORRIS,
For the Committee.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for the afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill was read a third time and passed.

House Bill No. 480, An act relating to a State Prison Farm.

On motion of Senator Moran, the Senate adjourned.

THURSDAY, AUGUST 5, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Eames, Guyer, Stafford, Burque and Cole were granted leaves of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 491, An act providing an appeal from the State Board of Health.

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 135, An act relative to political contributions.

Senate Bill No. 137, An act relating to powers of Governor and Council.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

READ AND REFERRED

The following entitled bill and joint resolution sent up from the House of Representatives were read a first and second time and referred,

To the Committee on Finance:

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

To the Committee on Judiciary:

House Bill No. 491, An act providing an appeal from the State Board of Health.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 207 (in second new draft and

new title), An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of not exceeding three hundred seventy-five dollars ($375) be and hereby is appropriated for the purpose of establishing one flash buoy and one spar buoy in Lake Winnisquam. The appropriation made hereby shall be expended under the direction of the Public Service Commission and the Governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the Office of the State Treasurer, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate because of construction of Annex Building.

The report was accepted and recommendation of the committee adopted.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 135, An act relative to political contributions.

Senate Bill No. 137, An act relating to powers of Governor and Council.

House Bill No. 480, An act relating to a state prison farm.

HAVEN DOE,
For the Committee.

The President declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bill and joint resolution were read a third time and passed:

House Bill No. 207 (in second new draft and new title), An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

On motion of Senator Allen, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, AUGUST 6, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

SENATOR FREEMAN:

Concord, N. H., August 6, 1937.

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, AUGUST 9, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

SENATOR FREEMAN:

Concord, N. H., August 9, 1937.

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, AUGUST 10, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 139, An act relative to canned lobster meat.

COMMITTEE REPORT

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 141, Joint resolution for observance of the adoption of the Federal Constitution by the State of New Hampshire, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 139, An act relating to canned lobster meat.

House Bill No. 62, An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

House Bill No. 207, An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye.

House Bill No. 277, An act relating to marriage.

HAVEN DOE,
For the Committee.

Senator Eames moved that the rules be suspended to introduce a bill.

(Discussion ensued)

Senator Hanson demanded a roll call.

The Clerk proceeded to call the roll.

The following Senators voted in the affirmative: Senators Morris, Eames, Simpson, Stafford, Hamlin, Freeman, Randall, Burque, Moran, Daniel, Cole and Allen.

The following named Senators voted in the negative: Senators Guyer, Hanson, Heald, Eastman, Blood, Wilson, Doe and Calef.

Twelve Senators having voted in the affirmative and eight in the negative, two-thirds vote being required to suspend the rules, the motion was lost.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled joint resolution was read a third time and passed.

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the Federal Constitution by the State of New Hampshire.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, AUGUST 11, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Cole was granted leave of absence for the day on account of illness in the family.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bill in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 494, An act in relation to the Keene shops on the Boston & Maine Railroad.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bills, with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 457 (In Senate New Draft and New Title), An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides and provisions relative to fishing in certain waters.

Amend said bill by adding after section 32 the following new section:

33. *Ice Fishing.* Amend chapter 155 of the Laws of 1935, by inserting after section 5-a, as inserted by chapter 14 of the Laws of 1937, the following new section: 5-b. *Newfound Lake.* Newfound Lake is closed to fishing through the ice except during the month of January.

Further amend said bill by renumbering section 33 to read section 34.

Amend said bill by inserting after section 15 the following new section:

15-a. *Navigable Waters.* Amend section 6 of chapter 200 of the Public Laws, as inserted by section 4, chapter 124, Laws of 1935, by inserting after the word "occupant" in the third line the words, except upon land covered by a stream navigable by a boat, so that said section as amended shall read as follows: 6. *Setting Traps.* No person shall set or arrange any trap upon any land of which he is not the owner or occupant. except upon land covered by a stream navigable by a boat, until he shall have secured from the owner or occupant a permit in writing signed by said owner or occupant, and until he shall have filed with the director a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passage way by human beings or domestic animals.

On motion of Senator Hanson, the Senate voted to concur in the amendments sent up by the House of Representatives.

The message further stated that the House of Representatives has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

Amend said bill by adding after section 1 the following:

4-b. *Application of Regulations.* Rules and Regulations prescribed by the motor vehicle commissioner pertaining to truck brake inspections shall apply to brakes on trailers and semi-trailers.

2. *Takes Effect.* This act shall take effect sixty days after its passage.

On motion of Senator Doe, the Senate voted to concur in the amendment offered by the Committee on Engrossed Bills.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Judiciary.

House Bill No. 494, An act in relation to the Keene shops on the Boston & Maine Railroad.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Senator Hamlin moved that the words, ought to pass, be substituted for the words, inexpedient to legislate.

(Discussion ensued)

Senator Blood demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Eames, Simpson, Strafford, Hamlin, Freeman, Randall, Burque, Mahoney, Moran, Daniel and Allen.

The following named Senators voted in the negative: Senators Morris, Hanson, Heald, Eastman, Blood, Wilson, Doe and Calef.

Paired Senator Guyer voting in the negative with Senator Cole voting in the affirmative.

Twelve Senators having voted in the affirmative and eight in the negative, the affirmative prevailed, and the motion to substitute was carried, and the bill was ordered to a third reading at two o'clock this afternoon.

Senator Calef for the Committee on Finance, to whom

was referred Senate Bill No. 4, An act relating to the appointment of an assistant Attorney-General in charge of criminal prosecutions, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered in budget.

The report of the Committee was accepted.

Senator Daniel moved that the words, ought to pass, be substituted for the words, inexpedient to legislate.

(Discussion ensued)

Senator Daniel demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Stafford, Hamlin, Freeman, Burque, Mahoney, Moran and Daniel.

The following named Senators voted in the negative: Senators Simpson, Guyer, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef and Allen.

Ten Senators having voted in the affirmative and eleven in the negative, the affirmative prevailed and the motion to substitute was lost.

On a *viva voce* vote, the report of the committee was adopted.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 495, An act providing for a Constitutional Convention, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 161, An act creating a retirement system, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend paragraph (1) of section 2 of said bill by strik-

ing out said paragraph and inserting in place thereof the following:

(1) In recognition of the public service rendered by the teachers in the public schools of this state, and as additional compensation to such teachers as avail themselves of the provisions of this act, the state of New Hampshire agrees to pay on June 30, 1938, the sum of ten thousand dollars, and on June 30 of each year thereafter the sum of twenty thousand dollars to the teachers' retirement board hereinafter created, for the purposes hereinafter stated.

Amend section 5 of said bill by striking out the date "July first, nineteen hundred and thirty-seven" and inserting in place thereof the date January first, 1938, so that said section as amended shall read as follows:

5. *Organization.* The New Hampshire teachers' retirement association shall, as soon as may be after January first, 1938, adopt such form of organization as shall be prescribed by the bank commission, the commissioner of education and the state treasurer acting as a preliminary board, and thereafter shall maintain such form of organization with such modifications thereof as may be adopted from time to time by the members of the association with the approval of the retirement board.

Amend paragraph (1) of section 8 of said bill by striking out the same and inserting in place thereof the following:

(1) Each member of the retirement association shall pay annually to the retirement board for the annuity fund under regulations prescribed by said board such percentage of his salary as may be determined by said board within the limits hereinafter prescribed. The rate of assessment for each school year, except as hereinafter provided, which shall not be more than five per cent of each member's salary, shall be established by the retirement board on or before August fifteenth in each year, and notice thereof shall be given all members of the retirement as-

sociation in such manner as the retirement board shall prescribe. Such rate of assessment shall be uniform, at any given time, for all members of the retirement association; provided, however, that no member shall in any one year pay to said board less than twenty-five dollars nor more than one hundred dollars, and provided further that the first assessment under this act shall be established by the board on or before March fifteenth, 1938, and shall be one-half the amount of a total year's assessment.

Amend paragraph (3) of said section 8 of said bill by striking out the word "twenty-five" and inserting in place thereof the word twenty, so that said paragraph as amended shall read as follows:

(3) The retirement board shall deposit annually in the annuity fund from the money paid to it by the state an amount equal to the annual payment of each member of the association, but not exceeding one hundred dollars for any such member; provided, however, that said board shall not deposit to the credit of any one member more than thirty such payments from the money paid to said board by the state, nor shall the total payments made by the state in any one year together with any administrative expenses, exceed the sum of twenty thousand dollars appropriated in this act.

Amend paragraph (1) of section 17 of said bill by striking out the same and inserting in place thereof the following:

(1) All funds paid to the retirement board shall forthwith be remitted by said board to the state treasurer. Such funds are are not required for current disbursements shall be invested and reinvested by the board in accordance with the laws of the state governing the investments of savings banks.

Amend section 20 of said bill by striking out the same and inserting in place thereof the following:

20. *Appropriation.* To provide funds for the purposes of this act there is appropriated to be paid out of the

treasury of the state for the period from January 1, 1938 to June 30, 1938, the sum of ten thousand dollars and for the fiscal year ending June 30, 1939, the sum of twenty thousand dollars.

Amend section 22 of said bill by striking out the same and inserting in place thereof the following:

22. *Takes Effect.* This act shall take effect January 1, 1938.

On motion of Senator Blood, further reading of the amendments was dispensed with.

On a *viva voce* vote, the report of the committee was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board.

On motion of Senator Wilson, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Hamlin, the following resolution was adopted:

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills and joint resolution were read a third time and passed:

House Bill No. 495, An act providing for a Constitutional Convention.

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

House Bill No. 161, An act creating a retirement system.

The question being stated,

Shall the above entitled bill be passed?

(Discussion ensued)

Senator Eastman demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Morris, Eames, Simpson, Guyer, Stafford, Hamlin, Freeman, Hanson, Randall, Heald, Burque, Blood, Wilson, Mahoney, Moran, Daniel, Doe, Calef and Allen.

The following named Senator voted in the negative: Senator Eastman.

Twenty Senators having voted in the affirmative and one in the negative the affirmative prevailed and the bill passed.

On motion of Senator Kelley, the Senate adjourned.

THURSDAY, AUGUST 12, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Morris was granted leave of absence for the day on account of important business.

Senator Cole was granted leave of absence for the day on account of illness in the family.

RESOLUTION

On motion of Senator Blood, the following resolution was adopted:

Resolved, That the Senate request the House of Representatives to authorize the Speaker to appoint a committee of eight members from the House to meet with a committee of five members from the Senate, to be appointed by the President of the Senate to discuss the problem of Public

Welfare and to report to the Legislature at the session of Tuesday, August 17th.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 497, An act making a further extension of state funds for the purpose of obtaining Federal funds for old age assistance.

House Bill No. 498, An act relating to summer registration of motor vehicles.

The message further stated that the House of Representatives has recalled from the Governor, Senate Bill No. 139, An act relative to canned lobster, and has committed the bill to the Committee on Fisheries and Game.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred to the Committee on the Judiciary, House Bill No. 497, An act making a further extension of state funds for the purpose of obtaining Federal funds for old age assistance.

On motion of Senator Doe, the rules were suspended, printing and reference to Committee dispensed with and the foregoing bill was ordered to a third reading and final passage at the present time.

To the Committee on the Judiciary:

House Bill No. 498, An act relating to summer registration of motor vehicles.

COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom

was referred House Bill No. 437, An act providing a deficiency appropriation for certain State Departments, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill of striking out in lines 1 and 2 the words and figures, one hundred sixty-six thousand three hundred six dollars and seventeen cents ($166,306.17) and inserting in place thereof the words and figures, two hundred twenty-four thousand, five hundred seventeen dollars and ninety-five cents ($224,517.95).

Further amend said section by striking out all after the words and figures, June 30, 1937, in line 9 and inserting in place thereof the following: state department, australian ballot, $4,534.81; Industrial School, $9,997.16; Laconia School, $1,934.37; State Hospital, $71,175.74; State House, $2,375.00; burial of soldiers and sailors, $7,817.25; department of Agriculture, division of animal industry, $11,358.50; for legislative expenses, $55,481.26, so that said section as amended shall read as follows:

1. *Appropriation.* The sum of two hundred twenty-four thousand, five hundred seventeen dollars and ninety-five cents, ($224,517.95) is hereby appropriated to meet deficits in certain state institutions and departments as follows: For the fiscal year ending June 30, 1936, for state department, presidential primary, $5,655.67; Industrial School, $3,634.39; Laconia State School, $1,117.40; State Hospital, $45,921.90; burial of soldiers and sailors, $3,514.50; for the fiscal year ending June 30, 1937, for state department, australian ballot, $4,534.81; Industrial School, $9,997.16; Laconia State School, $1,934.37; State Hospital, $71,175.74; State House, $2,375.00; burial of soldiers and sailors, $7,817.25; Department of Agriculture, division of animal industry, $11,358.50; for legislative expenses, $55,481.26.

Further amend the bill by striking out in Section 3 all

after the word, state, in line 9, so that said section as amended shall read as follows:

3. *Accounts; Sale.* The Secretary of State shall keep an account of all such notes countersigned by the Governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the Treasurer. The State Treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The Treasurer may negotiate and sell such notes by direction of the Governor and Council in such manner as they may determine most advantageous to the State.

Further amend the bill by adding a new section to be numbered section 4 to read as follows:

4. The appropriations for the fiscal year ending June 30, 1937; for the State House, $2,375.00; Department of Agriculture, division of animal industry; $11,358.50 shall not lapse until September 30, 1937.

Further amend the bill by renumbering section 4 to read section 5 as follows:

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF COMMITTEE REPORT

Senator Wilson under a suspension of the rules introduced a Committee report not previously advertised in the Journal.

Senator Wilson for the Committee on the Judiciary, to whom was referred House Bill No. 494, An act relative to the Keene Shops of the Boston & Maine Railroad, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

INTRODUCTION OF BILLS

Senator Wilson for the Committee on Rules introduced two bills which were read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents.

On motion of Senator Hanson, the rules were suspended, printing and reference to committee of the above entitled bill dispensed with, and the bill was read a third time and passed.

On motion of Senator Eames, the rules were suspended, printing and reference to committee of Senate Bill No. 141 were dispensed with and the bill was read a third time and passed.

BILL RECALLED FROM GOVERNOR

On motion of Senator Stafford, the following resolution was adopted.

Resolved, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill, Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to re-

consider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the Senate voted to recommit the bill to the Committee on Transportation.

The President declared a recess.

(Recess)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has acceded to the request of the Honorable Senate in its request for the appointment of a committee of eight members on the part of the House and five members on the part of the Senate, to discuss the problem of public welfare, and the Speaker has appointed as members on the part of the House Messrs. Seavey of Rochester, Etsler of Claremont, Barnard of Manchester, Jones of Lebanon, Tilton, Ward 4 of Laconia, Ahern of Concord, Sanderson of Pittsfield and McDonough of Dover.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

On motion of Senator Eames, the rules were suspended, printing and reference to committee dispensed with and the foregoing bill was read a third time and passed.

ORDER VACATED

On motion of Senator Wilson, the order whereby House Bill No. 498, An act relating to summer registration of

motor vehicles, was referred to the Committee on the Judiciary was vacated.

On motion of the same Senator, the rules were suspended, reference to Committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Hamlin, the following resolution was adopted.

Resolved, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 437, An act providing a deficiency appropriation for certain State Departments.

House Bill No. 494, An act in relation to the Keene shops of the Boston & Maine Railroad.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 495, An act providing for a Constitutional Convention.

House Bill No. 497, An act making a further extension of state funds in order to obtain Federal funds for old age assistance.

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the Federal Constitution by the State of New Hampshire.

HAVEN DOE,
For the Committee.

COMMITTEE APPOINTED

Pursuant to the resolution offered by Senator Blood, the President appointed as members of such Committee on the

part of the Senate Senators Wilson, Blood, Doe, Eastman and Randall.

On motion of Senator Calef, the following resolution was adopted:

Resolved, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 6:00 o'clock.

On motion of Senator Kelley, the Senate adjourned.

FRIDAY, AUGUST 13, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

SENATOR FREEMAN:

Concord, N. H., August 13, 1937.

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

MONDAY, AUGUST 16, 1937.

The Senate met according to adjournment.

Senator Freeman having assumed the Chair, read the following communication:

SENATOR FREEMAN:

Concord, N. H., August 16, 1937.

Please preside for me at today's session of the New Hampshire Senate, and oblige.

ANSON C. ALEXANDER,

President.

There being manifestly no quorum present, Senator Freeman declared the Senate adjourned.

TUESDAY, AUGUST 17, 1937.

The Senate met according to adjournment.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Health.

Senate Bill No. 144, An act relative to a municipal swimming pool at Memorial Field in the City of Concord.

On motion of Senator Blood, the rules were suspended, printing and reference to committee dispensed with, and the above entitled bill was read a third time and passed.

The President declared a recess until 1:59 P. M.

(Recess)

The Senate re-assembled.

COMMITTEE REPORT

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 142, Joint Resolution making an additional appropriation for the Industrial School, having considered the same, report the same with

the following amendment and recommend that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of sixteen thousand dollars ($16,000) be and hereby is appropriated to be expended for the industrial school under the direction of the superintendent, with the consent of the trustees of said school, for the following purposes: (1) Inside painting, outside wiring, the connecting of heating and water apparatus and alterations for the new buildings, (2) grading and road construction, and (3) purchase and installation of equipment for vocational training. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides, and special provisions relative to fishing in certain waters.

House Bill No. 494, An act in relation to the Keene shops of the Boston & Maine Railroad.

HAVEN DOE,
For the Committee.

On motion of Senator Doe the Senate adjourned.

AFTERNOON

THIRD READINGS

The following entitled bill was read a third time and passed.

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

On motion of Senator Moran, the Senate adjourned.

WEDNESDAY, AUGUST 18, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Mahoney was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the amendments sent down by the Senate on the following entitled bill:

House Bill No. 437, An act providing for a deficiency appropriation for certain State Departments and asks for a Committee of Conference and the Speaker has appointed as members on such Committee on the part of the House Messrs. Seavey of Rochester, Maker of Merrimack, and Sanderson of Pittsfield.

On motion of Senator Blood, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on the above entitled bill.

Pursuant to the above motion, the President appointed as

members on the part of the Senate Senators Blood and Cole.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 161, An act creating a retirement system.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

Amend section 1 by striking out in line 7, the words "taken before the effective date of this act" so that said section as amended shall read as follows:

1. *Motor Vehicle Registrations.* Amend chapter 161 of the Laws of 1937 by adding after section 10 the following new section: 10-a. *Exceptions.* The provisions of section 10 forbidding the registration in the name of any person of a motor vehicle, trailer or semi-trailer shall not apply as against any holder of a lien or mortgage upon such vehicle or any person claiming title from such lien holder or mortgagee, provided however that this exception shall not apply to the owner of such vehicle at the time of the accident or any member of his immediate family.

On motion of Snator Doe, the Senate refused to concur and asked for a Committee of Conference.

Pursuant to the above motion the President appointed as members of such committee on the part of the Senate Senators Doe, Simpson and Eastman.

COMMITTEE REPORTS

Senator Heald for the Committee on Transportation, to whom was referred House Bill No. 126, An act relating to trailers and semi-trailers, having considered the same, re-

port the same with the following amendment and recommend that the bill as amended ought to pass.

Strike out section 1 of the bill and insert in place thereof the following:

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 4-a. *Trailers and semi-trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, refreshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportation of cables or poles, not to exceed three in number, and trailers used in the transportation of live stock for exhibition, breeding, racing and riding purposes, not exceeding twenty-four hundred pounds in weight, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 498, An act relating to summer registration of motor vehicles, having considered the same, report the same under joint rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicles of Non-residents.* Amend chapter 102 of the Public Laws by inserting after section 3 the following new section:

3-a. *Summer Registration and Fees.* A non-resident owner of a motor vehicle, which is used solely for pleas-

ure and is not used for commercial purposes and which has not been registered for the current year in the state, district or country of which the owner is a resident, may register such vehicle for use on the highways of this state during the months of June, July, August and September, or any part of such period, in any year upon the payment of one-half the foregoing registration fees and one-half the permit fees required by chapter 100. The motor vehicle commissioner shall issue appropriate plates under such registration so designed as to be readily distinguishable from regular number plates.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the adoption of the Senate amendment.

Senator Wilson for the Special Committee appointed to investigate the situation at the Industrial School made the following report:

REPORT OF SENATE COMMITTEE ON STATE INDUSTRIAL SCHOOL

To the Honorable Senate:

Pursuant to the resolution adopted by the Senate relative to the appointment of a Committee to make an investigation of the affairs of the Industrial School, the Committee appointed by the President has proceeded at such times as the members could make available to carry out the mandate of the Senate.

Mr. Clarence I. Drayton, a certified public accountant of Manchester was employed to make an examination and audit of the books and papers of the School, and his report is transmitted herewith.

The Committee has visited the School several times, inspected the plant and properties, and formally examined Mr. Aylesworth, the late Superintendent, and other members of the Staff. A transcript of the formal testimony is herewith transmitted.

The Committee requested a conference at the State House with the Trustees of the School, and Mr. Brackett, Mrs. Landman, Mr. Arwe and Mr. McDonough attended the conference. Mr. Lucier and Mr. Barnard, who recently became members of the Board of Trustees, were also present. A record of that meeting is herewith transmitted.

The Committee has also made other investigations into the general affairs of the School when no stenographer was present.

There are several factors entering into the management of an Institution of this nature. The first concern is the welfare, present and future, of the inmates. This is paramount. We recognize, of course, that the Institution was not founded solely as a place of detention and punishment, nor should it be maintained as such. The chief purpose should be to make good citizens, right thinking and right acting men and women, out of the somewhat defective human material entering its doors.

This is a task which presents many problems and we do not pretend that within the limited scope of our investigation we can accurately measure recent methods or results. We are bound to say, however, that in our opinion there have been serious defects in the general treatment of the inmates, at least so far as the boys are concerned; that there has been a great lack of reasonably proper discipline, and that the educational opportunities provided for some of the inmates has been woefully insufficient. In this connection we think that the manual training school has been sadly neglected and that the machine shop as recently conducted may fairly be called ridiculous and the expense of maintaining the same practically wasted. We also criticize the general condition of the kitchen in the main building which at our inspection was certainly not in the clean condition such a room should be at all times. Nor should we fail to comment on the boys' dormitory in the main building. Many of the mattresses were filthy, the stench obnoxious, and the

general living conditions bad from many standpoints, such as health, safety and decent living.

As to the probation, psychiatric and general social work carried on and out of the School we cannot speak with great authority. We believe, however, that in much of the so called social and probation work as well as investigations and writing up of voluminous case records there has been a considerable waste of time and efforts, and that superior results might have been obtained with better management and supervision and at much less expense.

Another matter of concern relates to the general business management of the Institution. As to this we are compelled to report that for a long time there has apparently been a total lack of any system in the handling of its business affairs.

The major part of the supplies for the School are supposed to be furnished the School by the State Purchasing Agent on requisition to him from the School. The School has a store or store room in charge of a storekeeper. When received at the School all such supplies are supposed to go to the store to be receipted for by the storekeeper, and delivered by him on requisition from certain employees. For instance, the head of one building may requisition towels, clothing or other supplies. The chef may requisition for supplies. Others of the personnel may requisition certain articles.

In addition to supplies furnished by the State Purchasing Agent, the School itself has the privilege, through arrangement with the State Purchasing Agent, to buy certain supplies direct from dealers on what is known as field orders, any single field order not to exceed fifty dollars. Presumably, goods purchased on field orders should go through the storekeeper.

In order to make the system at all effective or informative, supplies raised on the farm should also go through the storekeeper so that some reasonably accurate record

might be kept. But, no worthwhile information can actually be obtained because there have been so many breaks in the theory of the system that there has in fact been no system of real accounting. Some of the farm produce has been delivered to the storekeeper, and by him delivered to the chef and others on requisition. Other farm produce has been delivered directly to the chef and other officers without any record as to time or amount, while other farm produce has been sold without going through the storekeeper. Even when farm produce is sold, without going through the storekeeper, no immediate record is made at the office and the bookkeeper has no knowledge until the purchaser pays and sends a statement with his payment. It is apparent that such a loose method gives opportunity for fraud, though we have no proof and are not suggesting that there has been such in this connection on the part of any officer.

Certain of the officers of the school not living in the general school buildings and eating at the general officers' table have been allowed maintenance in addition to their cash salary. It has been generally understood that the word maintenance includes rental of house, fuel and food supplies sufficient for the maintenance of their families. This has been true regardless of the size of their families. This method of payment is not good business practice and we understand has recently been abolished.

In the case of Mr. Aylesworth, it has been his custom at different times to order foods from local dealers for his own household on field orders. Such goods have not gone through the storekeeper, but have been paid for by the school. Due to the lack of any real bookkeeping or accounting system, our auditor says and the school bookkeeper admits that it is practically impossible to tell now what these orders amounted to in any stated period.

The Trustees say that they never understood that Mr. Aylesworth was entitled to any maintenance except on requisition from the storekeeper, and say that they are sur-

prised to learn of such field orders. Mr. Aylesworth maintains that he had such privilege. Our comment on this situation is that the Trustees ought to have discovered the facts.

Mr. Aylesworth was first elected Superintendent on March 27, 1931, and the records show that his salary was to be $4000 a year and maintenance. Only one of the present Trustees was then a member of the Board. At our conference with the Trustees the members seemed to be uncertain as to the exact terms of his original employment, although they thought they re-elected him every year or every two years upon the same terms. An examination of the records, however, shows only one recorded vote of re-election, that being on July 1, 1935. The record of that meeting reads "Vote re-election of Superintendent on same salary basis ($4000 per year plus maintenance) less salary cut to meet legislative reductions."

It is interesting to note in this connection that the Trustees state that at a meeting of the Trustees held about the middle of April the resignation of Mr. Aylesworth was requested and given, but no record of that meeting appears in the official records of the Board, and there is no record of his resignation or its acceptance. However, at a meeting of the Trustees on April 28, 1937, "It was voted that the Board sign a letter of recommendation for Mr. Aylesworth in addition to personal letters as requested."

Because the system of keeping records has been so slack and so faulty we do not think the statistics furnished by the auditor as to the amount of food and other supplies furnished the inmates as compared with that furnished the officers and other officials off the farm warrant any factual deductions. While taken from such records as are available, and true so far as the records show, yet in our opinion these statistics do not show the whole story, and are additional evidence of the total lack of business system rather than of the results shown.

The inmates of the school, certainly the boys, have been poorly fed. We are convinced that the officers' table was none too good, indeed, that generally it was below a reasonable standard. The chef stated that neither the boys' nor the officers' table was very good and that neither in general got the best cuts of meat. Without giving his testimony too great weight we are convinced upon all the information obtained that somewhere in the matter of supplies there has been loss, leakage or theft, but under the circumstances are unable to tell how it occurred or where the responsibility lies, except as it lies at the door of those having general supervision of the institution.

An examination and analysis of the auditor's report and the testimony will disclose many evidences of the lack of good business methods in the conduct of the affairs of the school, and that the manner in which they were handled gave opportunity for fraud and loss. While we agree with the Trustees that they cannot as an unpaid Board be expected to be familiar with all the details of the school's every day business affairs, we cannot absolve them from the responsibility of having an adequate system installed and of its continued maintenance.

In 1931 Mr. George was elected business manager and parole officer. If his testimony is to be believed, he was by gradual process reduced to not much more than a general man of all work, and the routine of operations at the school seem to lend credence to his statement.

Perhaps it is true that he should have insisted upon the performance of the duties implied by the title, but the fact remains that for the most part, he was not in fact business manager and parole officer and did not have or was not permitted to have the general responsibility ordinarily implied in an office with that title.

In 1935 Mr. George was made by vote of the Trustees an Assistant to the Superintendent, and it is probable that during the greater part of Mr. Aylesworth's incumbency

that was actually his job, performing such duties as the Superintendent entrusted to him.

Besides the general business management of the institution the school owns and operates a farm. In the opinion of the members of the committee who have particularly studied this part of the school's activities, the farm has been poorly managed in recent years. In 1931 the school had fifty cattle, at the present time it has less than thirty. From the reports it is apparent that the product of the farm has been decreased. This notwithstanding the fact that in 1931 the farmer had one assistant, while now or very recently there were four assistants, and at times there have been five.

This year thirty-five acres of land were plowed and left in the furrow, certain evidence of some lack of management.

There has been some dispute about the value of the silo built a few years ago. Two crops of hay have been put into it and spoiled, but notwithstanding this fact hay has been put into it this year for a third time. While some of the conditions in other years may have been remedied, it seems poor judgment to use the silo until the question of a complete remedy or rebuilding has been settled.

The report of the auditor indicates that all branches of the farm were run at a loss during the past year, and from study and observation it is apparent that proper management and operation of the farm have been lacking.

One general fact that became quite apparent as our investigation proceeded was that the general morale in the institution so far as the personnel was concerned has recently and for some time past been at a very low ebb. Lack of confidence in and suspicion of others characterizes many of the staff, a condition not conducive to good administration and one that should have long ago been discovered and remedied.

It is probably of little value to say much at the present time concerning the recent building program. We believe

it was embarked upon without due consideration of all the elements involved. While the new buildings provide a splendid administration building, much finer than is necessary for the institution, and a staff building of which the same comment may be made, sufficient provision was not made for decent housing of all the boys now in the main building. The small cottage for boys is of superior grade and probably finer than is needed for such an institution. It would seem that the first consideration should have been the welfare of the inmates, and that administration and staff might have been well taken care of in the main building until that object had been accomplished.

It is interesting to note that new furniture to the value of over six thousand dollars was purchased for the staff and administration building, of which over one thousand dollars was spent for the staff lounging room. The furniture we understand was delivered some time ago, long before the probable completion of the building, and is now on hand.

To the ordinary observer at least the new construction and hasty purchase of furniture bears somewhat the appearance of extravagance.

Our general conclusion is that the school has not been adequately meeting its purpose in the care and training of its inmates; that its general business affairs, including the operation of the farm, have been grossly mismanaged. All of this has resulted in loss and waste, some of which in our opinion has been due to other causes than negligence. The main responsibility for conditions must rest with the board of trustees. In this connection it should be said that one member of the board, Mr. McDonough, has consistently protested at meetings of the board concerning the management of the school, but without avail. Apparently the trustees accepted the reports and recommendations of the superintendent without question, and without any particular investigation of their own.

RECOMMENDATIONS

1. The Committee recommends a serious and sane study of the present buildings and their possible use before any additional buildings are erected.

2. Some method of better living conditions for the boys now in the main building should be provided. It is possible that this can be done by a re-arrangement of the intended purpose of the new staff and administration building.

3. Suitable and adequate provision should be made for the mental and physical education of the inmates. In particular there should be better facilities for instruction in the trades and in manual arts.

4. The general social and welfare work of the school, the training in character of the inmates, should be given the best attention and placed upon a sound and sane basis.

5. There should be better farm management. A study should be made of the adequacy of the present barn and silo as well as other farm equipment and stock. The school should have a practical farmer of ability and experience and proper use made of available school help.

6. Adequate business methods should be installed and such oversight on the part of the Trustees given as will insure their continuance, and the maintenance of such detailed records as will give the Governor and Council and future Legislatures a true picture of operations at the school.

7. In view of the recent history of affairs at the school and the lack of morale among the officers and employees it would seem for the best interests of the school that most of the Trustees who were serving prior to the beginning of this year should be replaced, and without attempting to dictate a course of action to any board of Trustees charged

with the management of the school, we believe it would be wise to have almost an entire change of personnel.

ALLAN M. WILSON,
AUSTIN L. CALEF,
HOWARD H. HAMLIN,
J. VINCENT MORAN,
WM. B. HANSON,
ALLEN M. FREEMAN.

August 18, 1937.

The report was accepted and recommendation adopted.

ORDER VACATED

On motion of Senator Doe, the order whereby House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital, was referred to the Committee on the State Hospital was vacated and the joint resolution was referred to a Joint Committee on State Hospital and Finance.

On motion of Senator Hamlin, a recess was declared until 1:59 P. M.

(Recess)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 501, An act relating to public welfare.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and re-

ferred to a joint committee on the Judiciary and Finance:

House Bill No. 501, An act relating to public welfare.

INTRODUCTION OF COMMITTEE REPORTS

Senator Wilson under a suspension of the rules introduced three committee reports not previously advertised in the Journal.

COMMITTEE REPORTS

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 34, An act relating to the charter of the city of Berlin, having considered the same report the same without amendment and recommend its passage.

The report was accepted, and the bill ordered to a third reading this afternoon at two o'clock.

Senator Wilson for the Committee on Judiciary, to whom was referred House Bill No. 490, An act relating to transportation of pupils attending approved private schools, having considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. *Transportation.* Amend chapter 117 of the Public Laws by inserting after section 7, as amended by chapter 76 of the Laws of 1933, the following new section: 7-a. Pupils attending approved private schools, up to and including the ninth grade, shall be entitled to the same transportation privileges within any town or district as are provided for pupils in public schools.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Cole for a majority of the Committee on Judiciary, to whom was referred House Bill No. 491, An act providing an appeal from the State Board of Health, hav-

ing considered the same, report the same with the following amendment and recommend that the bill as amended ought to pass.

1. Amend section 1 of the bill by inserting after the numeral "1" the words "Appeals Authorized", by inserting the word "Appeal" after the numerals and letter "19-b", by inserting the word "regulation" after the word "decision" wherever the same appears and by striking out the words "filed within fourteen days of the date of any such decision, ruling or order" and by inserting in place thereof the words "at any time within thirty days from the time when such decision, regulation, ruling or order shall become effective"; so that as amended said section shall read as follows:

1. *Appeals Authorized.* Amend chapter 141 of the Public Laws, as amended by chapter 11, Laws of 1933, by adding after section 19-a the following section: 19-b. *Appeal.* Any person aggrieved by any decision, regulation, ruling or order made by the State Board pursuant to the provisions of section 19-a, shall have the right to appeal at any time within thirty days from the time when such decision, regulation, ruling or order shall become effective, to the Superior Court for a review of said decision, regulation, ruling or order, by a petition for certiorari. Pending review, such decision, regulation, ruling or order shall be and remain in force unless justice shall require its suspension. Upon hearing, the burden of proof shall be upon the party seeking relief, and in addition to the record all evidence relative to the issues shall be received and considered. Such final order or decree shall be entered as justice may require, but the decision, regulation, ruling or order under review shall not be set aside, quashed or modified, except for errors of law, unless it shall appear by a clear preponderance of evidence that such decision, regulation, ruling or order is unjust or unreasonable.

2. Amend section 2 of said bill by inserting after the words "Takes Effect" the word "Application" and by adding thereto the words "and shall, subject to the limitation herein contained, apply to decisions, rulings, orders or regulations made not more than ninety days before the passage of this act"; so that as amended said section shall read as follows:

2. *Takes Effect; Application.* This act shall take effect upon its passage and shall, subject to the limitation herein contained, apply to decisions, rulings, orders or regulations made not more than ninety days before the passage of this act.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

COMMITTEE OF CONFERENCE REPORT

Senator Simpson presented the following report:

The Committee of Conference, to whom was referred House Bill No. 389, An act relative to the taxation of legacies and successions, recommend that the Senate recede from its position in the adoption of its amendment, and that the House recede from its position of non-concurrence, and recommend the following amendment:

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. Amend section 1, of chapter 72 of the Public Laws by striking out the whole thereof and inserting in place thereof the following:

1. *Taxable Property; Rate.* All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to inhabitants of the state, and all real estate within the state, or any interest therein, belonging to persons who are not inhabitants of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in posses-

sion or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, lineal descendant, or adopted child of a decedent, or for the care of cemetery lots, or to a city or town in this state for public purposes, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

SCOTT C. W. SIMPSON,
ALLAN M. WILSON,
HOWARD H. HAMLIN,
Conferees on behalf of the Senate.

GLENN E. BRITTON,
CHARLES S. HUTCHINS,
HARRY A. MERRILL,
JOHN S. BALL,
ESTHER C. BIXBY,
Conferees on behalf of the House.

The report was accepted and the recommendation of the committee adopted.

On motion of Senator Hamlin the Senate went into executive session.

On motion of Senator Blood the Senate adjourned from executive session.

On motion of Senator Hamlin the Clerk was instructed to present forthwith to His Excellency, and the Honorable Council, a copy of the Senate Report on Industrial School, with a copy of the evidence obtained attached thereto.

On motion of Senator Blood the Senate recessed until 1:59 a. m.

(Recess)

The Senate reassembled.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Wilson the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Wilson for the Joint Committee of the Judiciary and Finance, to whom was referred House Bill No. 501, An act relating to public welfare, having considered the same, reported the same without amendment and recommend its passage.

The report was accepted, and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Wilson the Senate adjourned.

AFTERNOON

The following bills were read a third time and passed:

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

House Bill No. 491, An act providing an appeal from the State Board of Health.

House Bill No. 501, An act relating to Public Welfare.

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

On motion of Senator Moran the Senate adjourned.

THURSDAY, AUGUST 19, 1937.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Cole was granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

The House of Representatives has passed a bill with the following title, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 502, An act relative to the time of payment for services to State employees.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill and joint resolution sent down from the Honorable Senate:

Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

The message further stated that the House of Representatives has acceded to the request of the Honorable Senate for a Committee of Conference to Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents, and the Speaker has appointed as members on such committee on the part of the House Messrs. Hart of Wolfeboro, Bailey of Haverhill, Fairbanks of Newport, Blanchard of Farmington, and Downs of Conway.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Bill No. 389, An act relative to the taxation of legacies and successions.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 498, An act relating to summer registration of motor vehicles.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Revision of Laws.

House Bill No. 502, An act relative to the time of payment for services to State employees.

On motion of Senator Hamlin, the rules were suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

TAKEN FREM TABLE

On motion of Senator Wilson, the following concurrent resolution was taken from the table.

WHEREAS, it appears that all necessary legislative work may be easily accomplished by Thursday, July 8, instant, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Thursday, July 8, instant at 5 o'clock in the afternoon.

Be it Further Resolved, That all reports, bills and joint resolutions, with the exceptions of such as have been referred to the next Lgislature, be indefinitely postponed.

On motion of the same Senator, the resolution was amended by striking out the words and figures, Thursday, July 8, wherever they appear and substituting therefor the words and figures, Friday, August 20, and sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Doe, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Doe for the Joint Committee on State Hospital and Finance, to whom was referred House Joint Resolution No. 85, Joint Resolution to provide additional facilities at the State Hospital, having considered the same, report the same with the following amendment and recommend that the joint resolution as amended ought to pass.

Amend the resolution by striking out in lines 1 and 2 thereof the words and figures, fifty-three thousand five hundred dollars ($53,500) and substituting therefor the words and figure, forty-six thousand dollars ($46,000).

Further amend the resolution by striking out the word, alterations, in line 7 thereof and substituting therefor the word, insulation.

Further amend the resolution by striking out the words and figures, ten thousand dollars ($10,000), in lines 9 and 10 and substituting therefor the words and figures, twenty-five hundred dollars ($2,500).

So that said resolution as amended shall read as follows:

That the sum of forty-six thousand dollars ($46,000) be and the same is hereby appropriated for additional facilities at the State Hospital as follows:

To make insulation in the third floor of the Walker Building the sum of twenty-five hundred dollars ($2,500); to purchase and install kitchen equipment the sum of ten thousand dollars ($10,000); to purchase and install metallic food elevators, five thousand five hundred dollars ($5,500); to install a partial sprinkler system in the Administration Building ten thousand dollars ($10,000); to construct an addition for enlargement of the kitchen in the Walker Building eighteen thousand dollars ($18,000). The above appropriations shall be a charge upon the funds appropriated by chapter 143 of the Laws of 1935.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe, the rules were suspended and the foregoing entitled joint resolution was ordered to a third reading and passed at the present time.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 389, An act relative to the taxation of legacies and successions, having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by adding after the word "Laws" the words, as amended by chapter 130 of the Laws of 1933.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF CONCURRENT RESOLUTION

On motion of Senator Doe, the following concurrent resolution was adopted and sent to the House of Representatives for concurrence:

Resolved by the Senate, the House concurring,

That the state planning and development commission be and hereby is directed to make a study of plans for the future development of the state hospital relative to buildings, equipment, agricultural work and other phases, and to make a report of such study to the next regular session of the Legislature.

INTRODUCTION OF BILL AND JOINT RESOLUTION

Senator Mahoney under a suspension of the rules, two-thirds of the members present having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Liquor Laws, Senate Bill No. 145, An act relative to the sale of liquor by clubs.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Blood under a suspension of the rules, two-thirds of the members present having actually voted in favor thereof, introduced the following entitled joint resolution which was read a first and second time, laid on the table to be printed and referred to the Committee on Finance:

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the attorney general's department.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled joint resolution was read a third time and passed.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 503, An act relating to hotel and cabin labor.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Labor:

House Bill No. 503, An act relating to hotel and cabin labor.

On motion of Senator Heald, the rules were suspended,

reference to committee dispensed with and the foregoing bill was read a third time and passed.

On motion of Senator Blood, it was voted that the Senate be in recess until 1:59 P. M.

(Recess)

The Senate re-assembled.

INTRODUCTION OF BILL

Senator Wilson for the Committee on Rules, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 146, An act relative to the trustees of state institutions.

On motion of Senator Wilson, the rules were suspended, printing and reference to committee dispensed with, and the above entitled bill was read a third time and passed.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department.

House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan.

House Joint Resolution No. 146, Joint resolution relative to the purchase of a farm for the State Hospital.

House Joint Resolution No. 147, Joint resolution authorizing a commission to review and study laws relative to employers' liability and workmen's compensation.

The message further stated that the House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 500, An act relating to the uniforms of the State Police.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners for Hillsborough County.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc.

The message further stated that the House of Representatives concurs with the Honorable Senate in the passage of the following joint resolution, with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

On motion of Senator Hamlin, the Senate voted to concur in the adoption of the amendment sent up by the House of Representatives.

READ AND REFERRED

The following entitled bills and joint resolutions were read a first and second time and referred,

To the Committee on Finance:

House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc.

House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department.

House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan.

House Joint Resolution No. 146, Joint resolution relative to the purchase of a farm for the State Hospital.

To the Committee on Judiciary:

House Bill No. 500, An act relating to the uniforms of the State Police.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners for Hillsborough County.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

House Joint Resolution No. 147, Joint resolution authorizing a commission to review and study laws relative to employers' liability and workmen's compensation.

(Senator Doe in Chair)

Senator Hamlin presented the following address:

To His Excellency, FRANCIS P. MURPHY,
Governor of the State of New Hampshire:

The Senate and the House of Representatives in General Court convened, satisfied that the public good requires that Charles H. Brackett and Henry C. Arwe, two of the Trustees of the New Hampshire State Industrial School at Manchester, New Hampshire, should no longer hold and retain said office, respectfully address and request Your Excellency with the advice and consent of the Council, to remove therefrom said Charles H. Brackett and Henry C. Arwe.

(Discussion ensued)

Senator Blood moved that the address be laid upon the table.

The question being stated,

Shall the address be laid upon the table?

Senator Eastman demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Morris, Simpson, Guyer, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe and Allen.

The following named Senators voted in the negative: Senators Kelley, Eames, Stafford, Hamlin, Burque, Mahoney, Daniel and Calef.

Eleven Senators having voted in the affirmative and eight in the negative, the affirmative prevailed and the address was laid upon the table..

On motion of Senator Blood, the rule requiring advertised hearings was suspended for the remainder of the session.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

House Bill No. 491, An act providing an appeal from the State Board of Health.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 146, An act relative to the Trustees of State Institutions.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following concurrent resolution:

CONCURRENT RESOLUTION

Resolved by the Senate, the House concurring.

That the state planning and development commission be and hereby is directed to make a study of plans for the

future development of the State Hospital relative to buildings, equipment, agricultural work and other phases, and to make a report of such study to the next regular session of the Legislature.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 389, An act relative to the taxation of legacies and sucessions.

Chair declared a recess.

(Recess)

The Senate reassembled.

HOUSE MESSAGE

The following message was received from the House of Representatives.

Mr. President:

The House of Representatives has refused to concur with the Honorable Senate in its amendments to House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital, and asks for a Committee of Conference, and the Speaker has appointed as members on such committee on the part of the House Messrs. Baker of Concord, Cummings of Peterborough, and Sawyer of Woodstock.

On motion of Senator Wilson the Senate voted to accede to the request of the House of Representatives for a Committee of Conference and the Chair appointed as members of such committee on the part of the Senate Senators Doe and Blood.

The message further stated that the House of Represen-

tatives had voted to concur with the Honorable Senate in the passage of the following concurrent resolutions:

WHEREAS, it appears that all necessary legislative work may be easily accomplished by Friday, August 20, instant, therefore be it,

Resolved, by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Friday, August 20, at 5 o'clock in the afternoon.

Be it further Resolved, that all reports, bills and joint resolutions, with the exception of such as have been referred to the next legislature, be indefinitely postponed.

COMMITTEE REPORTS

On motion of Senator Wilson, the rules were suspended to introduce three committee reports not previously advertised in the Journal.

Senator Wilson for the Committee on Judiciary, to whom were referred House Bill No. 500, An act relating to the uniforms of the State Police.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners for Hillsborough County.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

Having considered the same, reported the same without amendment and recommend their passage.

The reports were accepted, and the bills ordered to a third reading this afternoon at two o'clock.

On motion of Senator Wilson, the rules were further suspended, and the foregoing entitled bills were read a third time and passed.

On motion of Senator Calef, the rules were suspended to to introduce a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department, having considered the same, reported the same with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the words "March 1936" in the fourth line thereof the words, less such part thereof as the governor and council may reserve for the payment of unsettled claims thereunder; so that said section as amended shall read as follows:

1. The balance of two million dollars appropriated by chapter 1 of the Laws of the Special Session 1936 unexpended for the construction, repair, relocation and reconstruction of highways, bridges and culverts throughout the state damaged or destroyed during the flood of March 1936 less such part thereof as the governor and council may reserve for the payment of unsettled claims thereunder is hereby transferred and designated to be used by the highway department for the construction and reconstruction of trunk lines, including bridges and culverts for the same in accordance with the provisions of chapter 41, Laws of 1929.

The report was accepted, amendment adopted, and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Calef, the rules were further suspended, and the foregoing entitled bill was read a third time and passed.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following

entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years.

House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others.

READ AND REFERRED

The following entitled bill and joint resolution were read a first and second time, and referred to the Committee on Finance.

House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years.

House Joint Resolution No. 148, joint resolution in favor of Guy S. Neal and others.

On motion of Senator Hamlin, the Senate adjourned.

AFTERNOON

On motion of Senator Blood, the Senate adjourned.

FRIDAY, AUGUST 20, 1937.

The Senate met according to adjournment.

(Senator Wilson in Chair)

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with

the Honorable Senate in the passage of the following resolution:

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the Attorney General's office.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Joint Resolution No. 85, recommend that the Senate recede from its position in adopting its amendments and that the House recede from its position of non-concurrence and that the Senate and House adopt the following amendment:

Amend said resolution by striking out after the resolving clause and inserting in place thereof the following:

That the sum of fifty-three thousand five hundred dollars ($35,000) be and hereby is appropriated for additional facilities at the state hospital as follows: For insultation and alterations in the third floor of the Walker building, the sum of ten thousand dollars, of which the cost of insultation shall be a first charge; for the purchase and installation of kitchen equipment, the sum of ten thousand dollars; for the purchase and installation of metalic food elevators, five thousand five hundred dollars; for the installation of a partial sprinkler system in the administration building, ten thousand dollars; for the construction of an addition for enlargement of the kitchen in the Walker

building, eighteen thousand dollars. The above appropriation shall be a charge upon the funds appropriated by chapter 143 of the Laws of 1935.

HAVEN DOE,
ROBERT O. BLOOD,
Conferees on the part of the Senate.

ALBERT S. BAKER,
GEORGE D. CUMMINGS,
HARRY D. SAWYER,
Conferees on the part of the House.

The report was accepted and the recommendation adopted.

INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Calef, the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Calef, for the Committee on Finance, to whom was referred House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc., having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

On motion of Senator Calef, the rules were suspended and the foregoing joint resolution was ordered to a third reading and passed at the present time.

Senator Calef, for the Commiteee on Finance, to whom was referred House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Calef, the rules were suspended and the foregoing bill was read a third time and passed.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 140, An act relative to the bonds of the New Hampshire water resources board.

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents.

House Bill No. 161, An act creating a retirement system.

House Bill No. 389, An act relative to the taxation of legacies and successions.

House Bill No. 498, An act relating to summer registration of motor vehicles.

House Bill No. 501, An act relating to public welfare.

House Bill No. 502, An act relative to the time of payments for services to state employees.

House Bill No. 503, An act relating to hotel and cabin labor.

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the industrial school.

LULA J. A. MORRIS,
For the Committee.

The report was accepted.

RESOLUTION

On motion of Senator Eames, the following resolution was adopted:

Whereas, Our Heavenly Father has called home Mrs. Nellie Chandler, wife of Charles A. Chandler, Representative from Gorham and a former member of this body, and mother of Mrs. Elisabeth Mason, Representative from Berlin,

Therefore Be It Resolved, That the members of the Senate express their heartfelt sympathy to their Brother

and Sister members of the Legislatire in their bereavement;

And *Be It Further Resolved,* That these resolutions be printed in the Journal and the Clerk be instructed to send copies to Mr. Chandler and Mrs. Mason.

The President declared a recess until 1:59 p. m.

(Recess)

The Senate re-assembled.

COMMITTEE REPORT

Senator Doe, for the Committee on Engrossed Bills, to whom was referred House Bill No. 34, An act relating to the charter of the city of Berlin, having considered the same, report the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the date "1938" where it occurs in sections 5 and 12 and insert in place thereof the date 1939.

Amend section 8 of said bill by striking out the twenty to twenty-third lines, inclusive, and inserting in place thereof the following: fire department; the term of office of such appointees shall be for two years and until their successors are appointed and qualified except such officers or agents as may be appointed for a lesser period in which case such appointments shall be designated as temporary. Said city council may create

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

INTRODUCTION OF COMMITTEE REPORT

Senator Calef, under a suspension of the rules, introduced a committee report not previously advertised in the Journal.

Senator Calef, for the Committee on Finance, to whom was referred House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at two o'clock.

On motion of the same Senator, the rules were suspended and the joint resolution was read a third time and passed.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, That the Honorable Senate meet the House of Representatives in joint convention at 2 o'clock, for the purpose of receiving His Excellency the Governor, who has a message to deliver.

On motion of Senator Doe, the Senate voted to concur in the resolution sent up by the House of Representatives.

ANNOUNCEMENT

Senator Moran being excused for the balance of the session, the Chair appointed Senator Eastman as a member of the Committee on Revision of Laws to replace Senator Moran.

The Chair declared a recess.

(Recess)

The Senate re-assembled.

On motion of Senator Hamlin, the rules were suspended to allow the introduction of two committee reports not previously advertised in the Journal.

MAJORITY AND MINORITY REPORTS

Senator Hanson for a majority of the Committee on Revision of Laws, to whom was referred House Bill No. 286, An act defining house trailers, having considered the same, report the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the board of trustees of the industrial school.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Industrial School.* Amend section 2 of chapter 9 of the Public Laws, as amended by an act approved August 20, 1937, by striking out said section and inserting in place thereof the following: 2. *Appointment of Trustees.* There shall be a board of five trustees for the industrial school and a board of seven trustees for each of the other said four institutions, the appointed members of which shall serve without pay but shall be allowed their reasonable expenses. Three members of the board of trustees of the industrial school shall be appointed by the governor and council. The first members of the board of trustees of the industrial school appointed by the governor and council in accordance with the provisions of this section shall be appointed one for a term of one year, one for two years and one for three years and thereafter each shall be appointed for a term of three years. Five members of each of the other boards shall be appointed by the governor and council for terms of five years each. They may be either men or women. Vacancies in the boards may be filled by the governor and council for the unexpired term. Any such appointed member of said boards may be removed by the governor and council at any time for cause. The governor and such member of the council as he may appoint shall be ex-officio members

of each of said boards of trustees. The chairman of each board shall be, in the case of the industrial school, one of the three appointed members and in the case of the other institutions one of the five appointed members, and shall be elected annually by the board. Services rendered by any member of the council in carrying out any of the provisions of this chapter shall be considered as the performance of his duty as councilor.

2. *Expiration of Terms of Office.* Upon the passage of this act the terms of office of the five appointed members of the board of trustees of the industrial school, appointed by the governor and council, shall expire.

3. *Takes Effect.* This act shall take effect upon its passage.

W. B. HANSON,
For the Majority of the Committee.

A minority of the Committee on Revision of Laws, to whom was referred House Bill No. 286, An act defining house trailers, having considered the same, report the same with the following resolution:

Resolved, That it is inexpedient to legislate.

PHILIP C. HEALD,
CHARLES F. EASTMAN,
For a Minority of the Committee.

The report of the majority was accepted.

Senator Heald moved that the minority report inexpedient to legislate, be substituted for the majority report ought to pass with amendment.

(Discussion ensued)

Senator Eastman demanded a roll call.

The question being stated,

Shall the minority report be substituted for that of the majority?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Eastman, Blood and Allen.

The following named Senators voted in the negative: Senators Kelley, Morris, Eames, Simpson, Guyer, Stafford, Alexander, Hamlin, Freeman, Hanson, Randall, Burque, Wilson, Daniel, Doe, Calef, and Cole.

Three Senators having voted in the affirmative and seventeen Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated,

Shall the amendments offered by the majority of the committee be adopted?

On a *viva voce* vote the affirmative prevailed, the amendments were adopted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hamlin, the rules were suspended and the bill was read a third time and passed.

Senator Hanson, for a majority of the Committee on Revision of Laws, to whom was referred House Bill No. 115, An act relating to permits for the registration of motor vehicles, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

W. B. HANSON,
For a Majority of the Committee.

A minority of the Committee on Revision of Laws, to whom was referred House Bill No. 115, An act relating to permits for the registration of motor vehicles, having considered the same, reported the same with the following amendments and recommend that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. Amend section 3 of chapter 3 of the Laws of the Special Session of 1934 by striking out the words "four thousand dollars": wherever they appear and inserting

in place thereof the words, five thousand dollars: so that said section as amended shall read as follaws: 3. *Chairman; Compensation.* The chairman of the commission shall be appointed and commissioned as such. The annual salary of each member of the commission shall be five thousand dollars and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. Said members of the commission shall devote their entire time to the service of said commission. No member of the commission shall be directly or indirectly interested in the liquor or beverage business. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the state on the warrant of the governor with the approval of the council.

2. *Takes Effect.* This act shall take effect upon its passage.

Amend the title of this bill by striking out the whole of said title and substituting therefor the following:

An act relating to the Salary of the Liquor Commission.

HOWARD H. HAMLIN,
GEORGE, C. STAFFORD,
For a Minority of the Committee.

The report of the majority was accepted.

Senator Hamlin moved to substitute the minority report, ought to pass with amendment, for the majority report, inexpedient to legislate.

(Discussion ensued)

The question being stated,

Shall the report of the minority be substituted for that of the majority?

Senator Hamlin demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Eames, Simpson, Stafford, Hamlin, Freeman, Burque, Mahoney, Daniel and Cole.

The following named Senators voted in the negative: Senators Morris, Guyer, Alexander, Hanson, Randall, Heald, Eastman, Blood, Wilson, Doe, Calef and Allen.

Ten Senators having voted in the affirmative and twelve Senators having voted in the negative, the motion to substitute was lost.

The question being stated,

Shall the recommendation of the majority, inexpedient to legislate, be adopted?

On a *viva voce* voted the affirmative prevailed and the recommendation was adopted.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill, House Bill No. 34, An act relating to the charter of the city of Berlin.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following bills:

Senate Bill No. 143, An act providing for special licenses for first class hotels.

Senate Bill No. 145, An act relative to the sale of liquor by clubs.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following

House Bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 491, An act providing an appeal from the State Board of Health.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Takes Effect; Application.* This act shall take effect upon its passage and, subject to the limitation herein contained shall also apply to decisions, rulings, orders, or regulations made not more than ninety days before the passage of this act.

On motion of Senator Cole, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department.

Amend section 1 of said bill by striking out all of said section after the word "same" in the tenth line.

On motion of Senator Cole, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

Senate Bill No. 126, An act relative to trailers and semi-trailers.

Amend said bill by adding after section 1 the following:

2. *Truck Inspection.* Amend said chapter 103 of the Public Laws by inserting after section 4-a as hereinbefore amended the following: 4-b. *Application of Regulations.*

Further amend said bill by renumbering section 2 to be section 3.

On motion of Senator Cole, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and

found correctly engrossed the following entitled bills and joint resolutions:

House Bill 490, An act relating to transportation of pupils attending private schools.

House Bill No. 500, An act relating to the uniforms of the state police.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

Senate Bill No. 145, An act relative to the sale of liquor by clubs.

Senate Bill No. 146, An act relative to the trustees of state institutions.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners of Hillsborough county.

House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years.

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the attorney general's department.

House Joint Resolution No. 85, Joint resolution to provide additional facilities at the state hospital.

House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc.

House Joint Resolution No. 148, Joint Resolution in favor of Guy S. Neal and others.

LULA J. A. MORRIS,
For the Committee.

The report was accepted.

The Chair declared a recess until 1:59 p. m.

(Recess)

(The President in Chair)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has adopted the report of the Committee of Conference to Senate Bill No. 141, and the Speaker has appointed as new members on the part of the House, Messrs. Howe of Claremont, Carpenter of Wolfeboro, Mudgett of Conway, Mrs. Charois of Greenville and Mr. French of Lebanon.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Bill No. 437, An act providing a deficiency appropriation for certain State Departments.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 286, An act defining house trailers.

On motion of Senator Doe the Committee of Conference on Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents, resigned, and requested the President to appoint another committee.

Pursuant to the request the President appointed as new members of such committee on the part of the Senate, Senators Calef, Randall and Hanson.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 437, An act providing a deficiency appropriation for certain state departments, offer the following

report: That the House recede from its position of non-concurrence with the amendments sent down by the Honorable Senate, and that the same be adopted.

ROBERT O. BLOOD,
WILLIAM M. COLE,
Conferees on the part of the Senate.

RALPH F. SEAVEY,
ROBERT H. SANDERSON,
CLAUDE M. MAKER,
Conferees on the part of the House.

The report was accepted.

The President declared a recess.

(Recess)

The Senate re-assembled.

BILL RECALLED FROM GOVERNOR

On motion of Senator Blood, the following resolution was adopted:

Resolved, That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

The question being stated,

On motion of Senator Blood the following amendment was adopted:

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Lapse; Payment.* The appropriation made in section 1 for the state house and for the department of agriculture, division of animal industry, shall not lapse until September 30, 1937. The governor is authorized to draw his warrant for the sums appropriated in the preceding section out of any money in the treasury not otherwise appropriated.

Further amend said bill by striking out sections 3 and 4 and renumbering section 5 to read section 4.

And the bill was ordered to a third reading this afternoon at two o'clock.

On motion of the same Senator the rules were further suspended, the bill read a third time and passed.

The President declared a recess.

(Recess)

The Senate re-assembled.

RESOLUTION

Senator Wilson offered the following resolution:

Whereas, The Senate has just learned of the death of Harrie M. Young, Clerk of the House of Representatives,

Resolved, That the Senate record its profound sorrow at the passing of an able public servant, an honorable and respected citizen, the friend of all the members of the Legislature during many sessions, and a man who has devoted many years of conscientious and faithful service to the State,

Resolved, That a copy of these resolutions be transmitted to Mr. Young's family.

On motion of Senator Doe, the resolution was adopted by a rising vote and silence for one minute and a half.

The President appointed the following Senators to represent the Senate at the funeral of Mr. Young, Senators Hamlin, Burque, Eastman, Wilson and Mahoney.

The Chair declared a recess.

(Recess)

The Senate re-assembled.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 491, An act providing an appeal from the state board of health.

House Bill No. 506, An act relative to unexpended flood appropriations for the highway department.

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

House Bill No. 437, An act providing a deficiency for certain state departments.

HAVEN DOE,
For the Committee.

The report was accepted.

The President declared a recess.

(Recess)

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

The message further stated that in accordance with the concurrent resolution that all bills and joint resolutions in either branch on Friday, August 20th at 5 o'clock be indefinitely postponed, the following senate bills and joint resolutions were definitely postponed.

Senate Bill No. 27, An act relating to closing of polls at election other than town meetings.

Senate Bill No. 136, An act to make available the New Hampshire law reports.

Senate Bill No. 139, An act relating to canned lobster meat.

Senate Bill No. 144, An act relating to municipal swimming pool at Memorial Field in the city of Concord.

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

The message further stated that the House of Representatives has passed the following concurrent resolution in the passage of which the House of Representatives asks the concurrence of the Honorable Senate:

Resolved, By the House of Representatives, the Senate concurring, that a committee of the lady members of the House be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

On motion of Senator Hamlin the Senate concurred in the foregoing resolution sent up from the House of Representatives.

The President appointed as members of such committee

on part of the Senate, Senators Morris, Sampson, Guyer, Doe and Calef.

On motion of Senator Hamlin the Senate adjourned.

AFTERNOON

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred Senate Bill No. 141 recommend that the House recede from its position in adopting its amendments and that the Senate recede from its position of non-concurrence and that the House and Senate adopt the following amendment:

Amend said bill by adding after section 1 the following new sections:

2. *Proof Required for Registration.* In the application for the registration of a motor vehicle under the provisions of chapter 100 of the Public Laws the owner or person controlling such vehicle shall state whether there is any mortgage or lien upon such vehicle or any sum due upon the purchase price thereof and if the answer is yes said person must furnish proof of financial responsibility under the provisions of chapter 161 of the Laws of 1937 before such vehicle may be registered.

3. *Penalty.* Any person who shall make any false statement in his application for registration of a motor vehicle relative to the provisions of the preceding section shall be guilty of perjury.

Further amend said bill by renumbering section 2 to read section 4.

AUSTIN L. CALEF,
DON W. RANDALL,
W. B. HANSON,
Conferees for the Senate.

E. T. HOWE,
HAROLD C. FRENCH,
BERNADETTE E. CHAROIS,
R. G. CARPENTER,
P. W. MUDGETT,
Conferees for the House.

The report was accepted.

Senator Morris for the joint committee appointed to wait upon His Excellency, the Governor, and inform him that the Legislature has completed its duties, reported that they had attended to their duties and that the Governor informed them that he had no communication to lay before the House.

The report was accepted, and His Excellency, Francis P. Murphy, then came in and delivered the following message:

Honorable Senators:

Members of the Honorable Senate, I have been informed by the joint committee of the Senate and the House of Representatives that you have completed the business of the session and are ready to adjourn. The bills and resolutions that have been passed by the General Court on this closing day of the session have received executive approval.

And now, by the authority vested in me, as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in the month of December, in the year of our Lord, one thousand, nine hundred and thirty-eight.

Whereupon the President declared the Senate adjourned to the last Wednesday in December, 1938.

BENJAMIN F. GREER,
Clerk.

A true copy: attest.

BENJAMIN F. GREER,
Clerk.

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TO THE

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1937

WEDNESDAY, JANUARY 6, 1937.

On the first Wednesday in January, in the year of our Lord one thousand nine hundred and thirty-seven, being the day designated by the constitution for the assembling of that body, the one hundred and twenty-fifth General Court of the state of New Hampshire convened at the Capitol in the City of Concord, and the representatives-elect were called to order by Harrie M. Young, clerk of the House for the preceding session.

The Clerk proceeded to call the roll and 398 members answering to their names a quorum was declared present.

On motion of Mr. Hart of Wolfeboro,—

Resolved, That a committee of three be appointed by the clerk to wait upon His Excellency the Governor and inform him that a quorum of the House is assembled and requests his attendance.

The Clerk appointed Mr. Barnard of Manchester, Mrs. Brungot of Berlin and Mr. Ahern of Concord.

His Excellency the Governor, having been informed that a quorum of the House was assembled, appeared, attended by the Honorable Council, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oaths of office agreeably to the provisions of the constitution.

ROCKINGHAM COUNTY

Atkinson	Harry B. Tuttle
Auburn	Henry F. Dagan
Brentwood	Bert E. Havican
Candia	William E. Shaw
Chester	Walter P. Tenney
Danville	Richard H. Dickinson
Deerfield	Carl M. Fogg
Derry	Ernest L. Abbott
	Robert W. Burbank
	Oliver H. Hepworth
	Walter A. Pillsbury
Epping	Thomas W. Fecteau
Exeter	William A. McReel
	Harry Merrill
	George R. Scammon
	Willard K. Tozier
Fremont	Clifton H. Beede
Greenland	Harold A. Syphers
Hampstead	Frank W. Emerson
Hampton	Herbert Perkins
Hampton Falls	Forrest B. Creighton
Kensington	D. Everett Palmer
Kingston	George B. Stevens
Londonderry	Frank A. Nesmith
New Castle	James W. Pridham
Newmarket	Eugene Rousseau
	Leo J. Turcotte
Newton	A. Ralph Estabrook*
North Hampton	Forrest E. Knowles
Northwood	William F. Mudge
Nottingham	Frank H. Fernald*
Plaistow	John A. Palmer
Portsmouth—	
Ward 1	Andrew J. Barrett
	Mary C. Dondero
	Patrick J. Kittredge

Portsmouth—	
Ward 2	Harry H. Foote
	Edwin W. Gray
	Richard G. Pray
	John H. Yeaton
Ward 3	William S. Canty
	William Cogan
Ward 4	Frank W. Badger
Ward 5	Frederick Finnigan
	William T. Rose
Raymond	Willie B. Gile
Rye	Walter G. Marston
Salem	Carl Manor
	Leonard B. Peever
Sandown	Clarence I. Drowne
Seabrook	Elihu T. Adams
Stratham	George C. Jewell
Windham	George H. Butterfield Jr.

STRAFFORD COUNTY

Barrington	Bertha Hayes Atwood
Dover—	
Ward 1	Clifton R. Hayes
	Samuel L. Henderson
	John E. McCooey
Ward 2	Philias J. Chabot
	Patrick J. Durkin
	William A. Grimes
Ward 3	Philip P. Caswell
	George W. Garland
Ward 4	Harold F. Blaisdell
	Ernest L. Lucas
	Dennis M. McDonough
Ward 5	Edward Durnin
Durham	Oren V. Henderson
Farmington	Carl C. Blanchard
	Fred L. Richards

Lee	Frank I. Caldwell
Middleton	Wesley J. Whitehouse
Milton	George W. Longley
New Durham	Ralph C. Jenkins
Rochester—	
Ward 1	Alfred Colby
Ward 2	Maitland J. Berry
	Miles H. Dustin
Ward 3	Rudolph G. Cartier
Ward 4	Louis S. Bergeron
	Hervey E. Turcotte
Ward 5	Spencer Dickinson
Ward 6	Ralph F. Seavey
	Charles W. Varney Jr.
Rollinsford	George W. Nutter
Somersworth—	
Ward 1	Placide J. Lagueux
Ward 2	Napoleon A. Habel
Ward 3	Alfred J. Boucher
Ward 4	Claire A. LaBonte*
	Romeo St. Laurent
Ward 5	Onesime J. Dubois
Strafford	William J. Elson

BELKNAP COUNTY

Alton	Charles A. Rollins
Barnstead	Harry E. Little
Belmont	Herbert C. Adams
Center Harbor	John T. White
Gilford	Perry E. Hunt
Gilmanton	Roy C. Edgerly
Laconia—	
Ward 1	David O'Shan
	George Wesley Tarlson, Jr.
Ward 2	Alfred L. Guay
	Fortunat A. Normandin

Laconia—	
Ward 3	Elmer S. Tilton
Ward 4	Oscar L. Hoyt
	Frederick A. Tilton
Ward 5	Andrew J. Cantin*
	Harry S. Dickson
Ward 6	Frank E. Newell
	Edward M. Sanders
Meredith	Norman R. Martin
	Ernest W. Small
New Hampton	Elsie Linn Smith
Sanbornton	Charles F. Helms
Tilton	Justin J. O'Shea

CARROLL COUNTY

Bartlett	Uriah B. Russell
Brookfield	Guy L. Churchill
Chatham	Clarence Day
Conway	Elmer H. Downs
	Perley W. Mudgett
	Otis M. Quint
Eaton	Winfield S. Head
Freedom	Fred Huntress
Moultonborough	Edith D. Banfield
Ossipee	Mark H. Winkley
Sandwich	Charles B. Hoyt
Tamworth	Charles A. Wiggin
Wakefield	Ansel N. Sanborn
Wolfeboro	Ralph G. Carpenter
	Harold H. Hart

MERRIMACK COUNTY

Allenstown	Alcide Courtemanche
Andover	Oliver H. Munroe
Boscawen	Harry W. Carter
Bow	Burt Brown

Concord—	
Ward 1	Charles P. Coakley
	George Rivet
Ward 2	Ralph L. Stearns
Ward 3	George W. Kemp
Ward 4	Albert S. Baker
	Arthur J. Boutwell
	Paul Amos Mansur
Ward 5	Warren H. Butterfield
	George A. Conlon
Ward 6	George H. Nash
	Donald W. Saltmarsh
	Arthur F. Sturtevant
	John C. Tilton
Ward 7	Shirley Brunel
	Donald G. Matson
	George Azro Maxham
	Craig Wylie
Ward 8	Simeon Sharaf
Ward 9	William J. Ahern
	Thomas F. Donovan
Epsom	Lewis H. Nutter
Franklin—	
Ward 1	Donald J. Piper
Ward 2	Emile Carignan*
	Eusebe P. Lemire
Ward 3	John P. Dempsey
	Louis H. Douphinett
Henniker	Silas A. Rowe
Hill	Angelo H. Fowler
Hooksett	Carl R. N. Johnson
	Fred N. Mitchell
Hopkinton	John S. Ball
Loudon	Charles L. Merrill
New London	Fred S. Lovely
Northfield	Albert A. Carr

Pembroke	Antonio Dupont
	Romeo J. Lavallee*
Pittsfield	John H. Perkins
	Robert H. Sanderson
Warner	Orton F. Hill
Webster	Adam E. Mock

HILLSBOROUGH COUNTY

Amherst	Percy M. Odell
Antrim	Erwin D. Putnam
Bedford	Augustus W. Clark
Goffstown	Clarence J. Avery
	R. Robert Matheson*
	Arthur E. Pattee
Greenfield	George A. Reynolds
Greenville	Bernadette E. Charois
Hancock	Foster Stearns
Hillsborough	George W. Boynton
	Daniel W. Cole
Hollis	Edward Lievens
Hudson	Roland W. Abbott
	Arthur W. Smith
Lyndeborough	Erwin E. Cummings
Manchester—	
Ward 1	Stoddard B. E. Chase
	Joel S. Daniels, Sr.
	Sherman L. Greer
	Edward T. Knowlton
Ward 2	Charles Henry Barnard
	Perley W. Gage
	Victor C. Johnson
	Charles V. Kimball
	Charles E. Woodbury
Ward 3	Joseph M. Barry*
	Dennis Casey
	Michael J. Dwyer*
	Martin A. Kelley
	Michael A. Talty

Manchester—

Ward 4	John F. Clark
	James K. Clougherty
	William W. Corey
	Patrick J. Sullivan
Ward 5	Stanley J. Betley
	William F. Clancy*
	George T. Healy
	Arthur J. Lacroix
	Martin L. Mahoney
	John C. O'Brien
	Patrick J. Sweeney
Ward 6	William J. Booth
	Arthur J. Connelly
	Paul J. Connolly
	Frank M. Fox, Jr.
	John P. Jordan
	John J. Sullivan
Ward 7	Francis A. Farrell
	John Fitzgerald
	Alcide R. Gagnon
	Mark J. Gorham
	John A. Hanley*
	John J. Horan
Ward 8	Frank J. Bolton
	Edward F. Bouthiette
	Joseph Chevrette
	George N. Constant
	Michael S. Donnelly*
	Henry Farland
	Eugene Poulin
	John E. Walsh
Ward 9	John F. Driscoll
	Timothy F. Hayes
	Leon R. Lareau

Manchester—	
Ward 10	Francis L. Gallagher
	Philippe Gaudreault
	John J. Kearns*
	George I. Van Vliet
Ward 11	Henry E. Cullen
	Joseph B. Haggerty
	Edwin B. Kelley
	Francis H. Sweeney
Ward 12	Joseph P. Aubin
	Charles A. Caron
	George E. Desruisseaux
	Alpha J. Letendre
	Louis J. Soucy
Ward 13	Almon A. Boisvert
	Henry J. Janelle
	Wilfred S. Lariviere
	Lionel V. Lesmerises
	Arthur H. St. Germain
Merrimack	Claude M. Maker
Milford	George R. Foster
	C. Bradley Frost
	Fred T. Wadleigh
Nashua—	
Ward 1	Blaylock Atherton
	Mabel Thompson Cooper
	Stanley James
	Ovid F. Winslow
Ward 2	Louis H. Armington
	Patrick J. Duclos
Ward 3	John E. Bernard
	Robert J. Dube
	Sylvio C. Vigneault
Ward 4	Timothy R. Drumm
	Thomas F. Sullivan
Ward 5	Adelard Berube
	Edward DeLacombe

Nashua—	
Ward 5	Emile E. Marquis
Ward 6	Paul A. Moran
	Theodore O. Ravenelle
	Robert St. Francois
Ward 7	John A. Ledoux
	Frank A. Lougee
	William F. Maddox
Ward 8	Rodolphe Cormier
	William A. Molloy*
	Aldege A. Noel
	John D. Wilcox
Ward 9	Paul E. Bouthillier
	Joseph P. Poney
New Boston	John E. Corliss*
New Ipswich	William T. Thompson
Pelham	Richard H. Currier
Peterborough	George D. Cummings
	Martin A. Hafeli
Temple	Edward E. Tuttle
Weare	John F. Tierney
Wilton	Harold D. Cheever

CHESHIRE COUNTY

Alstead	Henry LeRoy Estabrook
Chesterfield	E. James Winslow
Fitzwilliam	Julius H. Firmin
Hinsdale	Abbie H. Robertson
Jaffrey	Alfred S. Despres
	Jason C. Sawyer
Keene—	
Ward 1	William J. Callahan
	James C. Graves
	George F. Knowlton
	Arthur Olson*

Keene—	
Ward 2	William E. Jones
	Dayton L. Park
Ward 3	Wilder F. Gates
	Cowling Hilton
Ward 4	Marquis O. Spaulding
	Clarence A. Wardwell
Ward 5	John M. Duffy
	Carl D. Roche
Marlborough	Fred D. Hemenway
Nelson	Gordon F. Tolman
Rindge	Harris H. Rice
Sullivan	John H. Woodbury
Surry	Robert M. Crain
Swanzey	Joseph A. Dubois
	William R. Granger
Troy	Ernest F. Barrett
Walpole	William J. King
	James T. Relihan
Westmoreland	Glenn E. Britton
Winchester	Winfred C. Burbank
	Eli J. Horner

SULLIVAN COUNTY

Acworth	H. Raymond Danforth
Charlestown	Charles S. Hutchins
Claremont	Herbert C. Chandler
	James D. Daly
	Clarence B. Etsler
	William L. Gaffney
	P. Earl Hosking
	Earl F. Howe
	Charles H. Putnam
	Erwin W. Quimby
	Thomas J. Sheehan
	Edwin A. Thomas

Cornish	Eben M. Johnson
Goshen	Lester E. Brigham
Newport	Maurice H. Cummings
	Harold G. Fairbanks
	John R. Kelly
	Leon E. Kempton
Plainfield	Fred A. Rogers
Sunapee	Leo L. Osborne
Unity	George B. Cram

GRAFTON COUNTY

Alexandria	David B. Plumer
Ashland	Abraham L. Davis, Jr.
Bath	Adelbert W. Bailey
Bethlehem	Harry A. Goodwin
Bridgewater	Harris W. Hammond
Bristol	Willard S. H. Remick
Campton	Bertram W. Pulsifer
Canaan	Joseph L. Graham
Enfield	Herbert E. Walbridge
Groton	Warren A. Remick
Hanover	Edgar H. Hunter
	William J. Lanyon
	Francis V. Tuxbury
Haverhill	Clarence L. Bailey
	Hormidas J. Brunelle
	Herbert E. Smith
Holderness	Harold F. Perkins
Landaff	Harry G. Titus
Lebanon	Edward M. Ashey*
	William Dubuque
	Harold C. French
	Florence Ward Hoyt
	Fred A. Jones
	Mabel Sliney
Lincoln	Francis E. Madden

Lisbon	James E. Collins
	Arthur L. Hamilton
Littleton	Jacob F. Hildebrand
	Herbert S. Lewis
	Charles E. Magoon
	Ada A. Soper
Lyme	Frank H. Bailey
Monroe	Jed B. Jones
Orford	Edgar C. Lufkin
Piermont	Earl V. Howard
Plymouth	Kenneth G. Bell
	Harry A. Merrill
Rumney	John Z. Taylor
Thornton	Charles R. Houston
Warren	Samuel H. Dreghorn
Wentworth	Lester C. Hutchins
Woodstock	Harry D. Sawyer

COOS COUNTY

Berlin—	
Ward 1	Margaret H. Barden
	Peter Collette
	Elisabeth H. Mason
	Henry M. Moffett
	Joseph F. Roy
Ward 2	Harry L. Henderson
	Aristide T. Montminy
	Albert G. Palmer
	George T. Studd
Ward 3	Hilda C. F. Brungot
	Robert E. Sloane*
	Arthur F. Snodgrass
Ward 4	Esther C. Bixby
	Alphonsine M. Dugas
	Patrick L. Dutil
	Letitia Jane Myler

Carroll	Joseph A. Seymour
Clarksville	Charles L. Felton
Colebrook	George W. Dickson
	Louis Ramsay
Columbia	Albion Parkhurst
Errol	Arthur K. Jordan
Gorham	Charles A. Chandler
	Merton M. Willis
Jefferson	Edward D. Parker
Lancaster	Arthur C. Cryan
	William H. Thompson
Milan	Lloyd E. Fogg
Northumberland	Albert R. Johnson
	Clarence A. Marshall
Pittsburg	Willie N. Judd*
Shelburne	Maud G. Rix
Stewartstown	Albert L. Fuller
Stratford	Loyal P. Brown
Whitefield	George W. Whitcher

The Clerk then called the House to order and stated that the first business before the House was the election of a temporary presiding officer.

Mr. Hart of Wolfeboro placed in nomination Mr. Sanborn of Wakefield and moved his election.

On a *viva voce* vote Mr. Sanborn was declared elected temporary presiding officer and was escorted to the chair by Mr. Callahan of Keene.

Mr. Carpenter of Wolfeboro, Mrs. Mason of Berlin and Mr. Dwyer of Manchester having qualified before His Excellency the Governor appeared, took their seats as members of the House.

On motion of Mr. Baker of Concord the House proceeded to the election of a Speaker by ballot. The presiding officer appointed Mr. Carpenter of Wolfeboro and Mrs.

* Those marked with an asterisk were not present, but appeared and qualified later, as will be found in the daily proceedings of the House.

Mason of Berlin as a committee to receive, sort and count the ballots.

Mr. Carpenter for the committee reported the following results of the ballot.

Whole number of votes cast	392
Necessary to a choice	197
John J. Kearns had	151
Oren V. Henderson had	241

On motion of Mr. Ahern of Concord the election was made unanimous and Mr. Henderson was declared elected Speaker and was escorted to the chair, by Mr. Saltmarsh of Concord and Mrs. Charois of Greenville.

The Speaker addressed the House as follows:

I want to thank you most cordially for the honor you have conferred upon me, but I am not unmindful of the great responsibility I am assuming.

I want to emphasize the fact, however, that the responsibility for a successful and expeditious session rests not alone with the Speaker but must be shared equally by each and everyone of you.

I'll need your hearty co-operation. Consult me freely as I will you.

My selection for this position reminds me—that only one other man from the town of Durham has occupied it. One hundred and fifty years ago that great patriot, soldier and statesman, General John Sullivan of Durham was chosen to preside over the House.

I cannot hope to match his ability in state craft—few could in his day—but I do hope and I promise to attempt, to emulate his fairness to all, his impartiality in the conduct of the affairs of State and his great devotion to the cause of the people and also for whom we must legislate.

The Speaker announced the following committee to assign seats previous to drawing to members physically in-

firm or otherwise entitled, Messrs. Seavey of Rochester and Ahern of Concord.

On motion of Mr. Baker of Concord

Resolved, That the rules of the last House be adopted as those of this session unless otherwise ordered by the House with the exception that the Fisheries and Game Committee consist of twenty-three members.

STANDING COMMITTEES

The Speaker announced the following appointments to standing committees:

Agriculture—Rogers of Plainfield, Hunt of Gilford, Johnson of Cornish, Kimball of Manchester, Woodbury of Sullivan, Browne of Sandown, Tuttle of Temple, Putnam of Claremont, Tenney of Chester, Clark of Bedford, Elson of Strafford, Jones of Monroe, Brown of Bow, Abbott of Hudson, Titus of Landaff, Gile of Raymond, Barrett of Troy, Wiggin of Tamworth, Edgerly of Gilmanton, Marshall of Northumberland, Palmer of Kensington.

Appropriations—Seavey of Rochester, Rice of Rindge, Cummings of Peterborough, Emerson of Hampstead, Bell of Plymouth, Tilton of Laconia, Hart of Wolfeboro, Baker of Concord, Daniels of Manchester, Magoon of Littleton, Nash of Concord, Boynton of Hillsborough, Hayes of Dover, Sawyer of Woodstock, Chandler of Gorham, Sanderson of Pittsfield, Sullivan of Manchester (Ward 6), Gallagher of Manchester, Cummings of Newport.

Banks—Merrill of Exeter, Dickson of Colebrook, Sawyer of Jaffrey, Bailey of Haverhill, Hemenway of Marlborough, Hamilton of Lisbon, Atherton of Nashua, Newell of Laconia, Dreghorn of Warren, Nutter of Rollinsford, Carter of Boscawen, Douphinett of Franklin, Chandler of Claremont, Whitehouse of Middleton, Fox of Manchester, Cantin of Laconia, Berube of Nashua.

Claims—Estabrook of Newton, Reynolds of Greenfield, Abbott of Derry, Cates of Keene, Gage of Manchester,

Jordan of Errol, Lufkin of Orford, Brigham of Goshen, Dreghorn of Warren, Small of Meredith, Cartier of Rochester, Lariviere of Manchester, Dubuque of Lebanon, Caron of Manchester, Carignan of Franklin, Henderson of Berlin, Sweeney of Manchester (Ward 5).

Coastwise Improvement—Marston of Rye, Sturtevant of Concord, Knowles of North Hampton, Avery of Goffstown, Yeaton of Portsmouth, Nutter of Epsom, White of Center Harbor, Lanyon of Hanover, Longley of Milton, Hosking of Claremont, Berry of Rochester, Gorham of Manchester, Cormier of Nashua, Despres of Jaffrey, Hutchins of Wentworth, Sweeney of Manchester (Ward 11), Judd of Pittsburgh.

Education—Wylie of Concord, Smith of New Hampton, Firmin of Fitzwilliam, Collins of Lisbon, Rix of Shelburne, Tuxbury of Hanover, Munroe of Andover, Gray of Portsmouth, Fowler of Hill, Blaisdell of Dover, Farland of Manchester, Roche of Keene, Barry of Manchester, Sliney of Lebanon, Moran of Nashua, Wiggin of Tamworth, Chandler of Claremont.

Elections—Lufkin of Orford, Garland of Dover, Merrill of Loudon, Cryon of Lancaster, Reynolds of Greenfield, Richards of Farmington, Hoyt of Laconia, Hoyt of Sandwich, Fairbanks of Newport, Olson of Keene, Palmer of Berlin, Fitzgerald of Manchester, Ramsey of Berlin, Bouthiette of Manchester, Noel of Nashua, Rousseau of Newmarket, Lesmerises of Manchester.

Fisheries and Game—Adams of Seabrook, Fogg of Milan, Foote of Portsmouth, Crain of Surry, Ramsay of Colebrook, Banfield of Moultonborough, Howe of Claremont, Willis of Gorham, Syphers of Greenland, Thompson of New Ipswich, Dubois of Swanzey, Jewell of Stratham, Ashey of Lebanon, Carpenter of Wolfeboro, Palmer of Plaistow, Snodgrass of Berlin, Corey of Manchester, Perkins of Holderness, Charois of Greenville, Guay of Laconia,

St. Francois of Nashua, Dempsey of Franklin, Boisvert of Manchester.

Forestry and Recreation—Whitcher of Whitefield, Firmin of Fitzwilliam, Stevens of Kingston, Odell of Amherst, Fuller of Stewartstown, Lievens of Hollis, Brunel of Concord, Sawyer of Jaffrey, Johnson of Hooksett, Beede of Fremont, Hill of Warner, Fernald of Nottingham, Madden of Lincoln, O'Shea of Tilton, Letendre of Manchester, Cram of Unity, Dutil of Berlin.

Incorporations—Tilton of Concord, Lewis of Littleton, Jenkins of New Durham, Rollins of Alton, Carpenter of Wolfeboro, Hepworth of Derry, Kimball of Manchester, Robertson of Hinsdale, Parker of Jefferson, O'Brien of Manchester, Barrett of Portsmouth, Dwyer of Manchester, Roy of Berlin, Fitzgerald of Manchester, Dube of Nashua, Rivet of Concord, Mason of Berlin.

Industrial School—Danforth of Acworth, Hoyt of Lebanon, Tarlson of Laconia, Soper of Littleton, Woodbury of Manchester, Russell of Bartlett, Granger of Swanzey, Thompson of Lancaster, Merrill of Loudon, Corliss of New Boston, Turcotte of Rochester, Bernard of Nashua, Soucy of Manchester, Remick of Groton, Horan of Manchester, DeLacombe of Nashua, Dondero of Portsmouth.

Insurance—Varney of Rochester, Tilton of Concord, Chase of Manchester, Atherton of Nashua, Tuxbury of Hanover, Graves of Keene, Fuller of Stewartstown, Hemenway of Marlborough, Rowe of Henniker, Osborne of Sunapee, Farrell of Manchester, Huntress of Freedom, Poney of Nashua, Grimes of Dover, Ravenelle of Nashua, Dagan of Auburn, Brunelle of Haverhill.

Judiciary—Etsler of Claremont, Tilton of Laconia, (Ward 4), Scammon of Exeter, Pillsbury of Derry, Burbank of Winchester, Cooper of Nashua, Dickson of Colebrook, Wadleigh of Milford, Brungot of Berlin, Saltmarsh of Concord, Jones of Lebanon, Howard of Piermont, Stearns of Hancock, Shaw of Candia, Kearns of Manches-

ter, Normandin of Laconia, Molloy of Nashua, Ahern of Concord, Duffy of Keene.

Labor—Smith of Haverhill, Hutchins of Charlestown, Greer of Manchester, Nesmith of Londonderry, Sanders of Laconia, Manor of Salem, Downs of Conway, Havican of Brentwood, Hildebrand of Littleton, Tozier of Exeter, Armington of Nashua, McCooey of Dover, Cogan of Portsmouth, Bergeron of Rochester, Piper of Franklin, Relihan of Walpole, Barden of Berlin.

Laconia School—Hoyt of Laconia, Davies of Ashland, Maker of Merrimack, Syphers of Greenland, Quint of Conway, Crain of Surry, Danforth of Acworth, Parker of Jefferson, Richards of Farmington, Clougherty of Manchester, Henderson of Dover, Marquis of Nashua, Lagueux of Somersworth, Casey of Manchester, Donovan of Concord, Janelle of Manchester, Lemire of Franklin.

Liquor Laws—Lewis of Littleton, Bailey of Haverhill, James of Nashua, Estabrook of Alstead, Butterfield of Windham, Dickson of Laconia, Burbank of Derry, Winkley of Ossipee, Rose of Portsmouth, Conlon of Concord, Dustin of Rochester, Coakley of Concord, Kempton of Newport, Brown of Stratford, Connelly of Manchester (Ward 6), Bixby of Berlin.

Mileage—Jenkins of New Durham, Quint of Conway, Mansur of Concord, Matheson of Goffstown, Woodbury of Sullivan, Brigham of Goshen, Houston of Thornton, Cryan of Lancaster, White of Center Harbor, Adams of Belmont, Habel of Somersworth, Finnegan of Portsmouth, Talty of Manchester, Kelley of Manchester (Ward 3), Barden of Berlin, Gagnon of Manchester.

Military Affairs—Estabrook of Alstead, McReel of Exeter, Blanchard of Farmington, O'Shan of Laconia, Hart of Wolfeboro, Chase of Manchester, Tolman of Nelson, Putnam of Claremont, Hamilton of Lisbon, Dickinson of Danville, Montminy of Berlin, Lacroix of Manchester, Dupont

of Pembroke, Bouthillier of Nashua, Henderson of Berlin, Bolton of Manchester, Daly of Claremont.

National Affairs—Hutchins of Charlestown, Nutter of Epsom, Atwood of Barrington, Pattee of Goffstown, Graves of Keene, Tuttle of Atkinson, Bailey of Lyme, Sanborn of Wakefield, Tarlson of Laconia, Soper of Littleton, Collett of Berlin, Clancy of Manchester, Connelly of Manchester (Ward 6), Donnelly of Manchester, Sharaf of Concord, Desruisseaux of Manchester, Sanderson of Pittsfield.

Normal Schools—Small of Meredith, Jones of Keene, Hoyt of Lebanon, Caswell of Dover, Walbridge of Enfield, Spaulding of Keene, Taylor of Rumney, Johnson of Manchester, Mock of Webster, Banfield of Moultonborough, Driscoll of Manchester, Walsh of Manchester, Canty of Portsmouth, Clark of Manchester, Mason of Berlin, Lareau of Manchester, LeBonte of Somersworth.

Public Health—Kelley of Newport, Day of Chatham, Collins of Lisbon, Lovely of New London, Winslow of Chesterfield, Butterfield of Concord, Conlon of Concord, Thompson of Lancaster, Davis of Ashland, Peaver of Salem, Maddox of Nashua, Kittredge of Portsmouth, Poulin of Manchester, Durnin of Dover, Kelley of Manchester (Ward 11), Dugas of Berlin, Gaudreault of Manchester.

Public Improvements—Boutwell of Concord, Winslow of Nashua, Little of Barnstead, Lucas of Dover, Perkins of Hampton, Hafeli of Peterborough, Head of Eaton, Horner of Winchester, Pulsifer of Campton, Currier of Pelham, Remick of Bristol, Cummings of Lyndeborough, Carr of Northfield, Park of Keene, Churchill of Brookfield, Pray of Portsmouth, Aubin of Manchester, Huntress of Freedom, Caldwell of Lee, Thomas of Claremont, Fogg of Deerfield, Seymour of Carroll, Fecteau of Epping.

Revision of Statutes—Barnard of Manchester, Cheever of Wilton, Olson of Keene, Matson of Concord, Frost of Milford, Knowlton of Keene, Hoyt of Sandwich, Graham of Canaan, Tierney of Weare, Sturtevant of Concord, Mc-

Reel of Exeter, Helms of Sanbornton, French of Lebanon, McDonough of Dover, Perkins of Pittsfield, Wilcox of Nashua, Daly of Claremont, Moffett of Berlin, Goodwin of Bethlehem.

Soldiers' Home—Newell of Laconia, Carr of Northfield, Lanyon of Hanover, Snodgrass of Berlin, O'Shan of Laconia, Spaulding of Keene, Downs of Conway, Havicon of Brentwood, Duclos of Nashua, McDonough of Dover, Courtemarche of Allenstown, Chabot of Dover, Turcotte of Newmarket, VanVliet of Manchester, Constant of Manchester, Vigneault of Nashua, Cullen of Manchester.

State Hospital—Butterfield of Concord, Gates of Keene, Britton of Westmoreland, Houston of Thornton, Stevens of Kingston, Helms of Sanbornton, Mudgett of Conway, Kemp of Concord, Elson of Strafford, Healy of Manchester, Durkin of Dover, Haggerty of Manchester, Myler of Berlin, Ledoux of Nashua, Sheehan of Claremont, Sullivan of Nashua (Ward 4), Dubois of Somersworth.

State Prison—Smith of Hudson, Pattee of Goffstown, Felton of Clarksville, Yeaton of Portsmouth, Mock of Webster, Longley of Milton, Granger of Swanzey, Bailey of Lyme, Duclos of Nashua, Driscoll of Manchester, Cantin of Laconia, Badger of Portsmouth, St. Laurent of Somersworth, Cheverette of Manchester, Drumm of Manchester, Hayes of Manchester, Sullivan of Manchester, (Ward 4).

Towns and Counties—Johnson of Manchester, Day of Chatham, Fogg of Milan, Caswell of Dover, Rose of Portsmouth, Hilton of Keene, Adams of Belmont, Wylie of Concord, Britton of Westmoreland, Churchill of Brookfield, Mahoney of Manchester, Goodwin of Bethlehem, Quimby of Claremont, Hanley of Manchester, Perkins of Pittsfield, Lougee of Nashua, Dupont of Pembroke.

Transportation—Hilton of Keene, Estabrook of Newton, Jordan of Errol, Blanchard of Farmington, Mudgett of Conway, Creighton of Hampton Falls, Parkhurst of Columbia, Maxham of Concord, Fairbanks of Newport, Mitchell

of Hooksett, Bailey of Bath, Avery of Goffstown, Stearns of Concord, Jordan of Manchester, Martin of Meredith, Pridham of New Castle, Barrett of Troy, Betley of Manchester, St. Germain of Manchester.

University of New Hampshire—Tolman of Nelson, Cole of Hillsborough, Tuttle of Atkinson, Atwood of Barrington, Smith of New Hampton, Russell of Bartlett, James of Nashua, Woodbury of Manchester, Cummings of Lyndeborough, Foster of Milford, Robertson of Hinsdale, Hammond of Bridgewater, French of Lebanon, Dondero of Portsmouth, Studd of Berlin, Colby of Rochester, Gaffney of Claremont, Rivet of Concord, Quimby of Claremont.

Ways and Means—Sanborn of Wakefield, Hunter of Hanover, Hepworth of Derry, Rollins of Alton, Wardwell of Keene, Knowlton of Manchester, Plumer of Alexandria, King of Walpole, Putnam of Antrim, Mudge of Northwood, Maker of Merrimack, Ball of Hopkinton, Dickinson of Danville, Osborne of Sunapee, Merrill of Plymouth, Dickinson of Rochester, Booth of Manchester, Boucher of Somersworth, Johnson of Northumberland.

Rules—The Speaker, Seavey of Rochester, Etsler of Claremont, Kearns of Manchester, Ahern of Concord.

Journal of the House—The Speaker, Wylie of Concord, Bixby of Berlin.

JOINT STANDING COMMITTEES

State Library—Winslow of Chesterfield.

Engrossed Bills—Munroe of Andover, Sawyer of Woodstock.

State House—Baker of Concord, Stearns of Hancock, Donovan of Concord.

Mr. Callahan of Keene offered the following names as the nominees of the Republican caucus:

Harrie M. Young for Clerk, Cyril J. Fretwell for Assistant Clerk, Francis H. Buffum for Reading Clerk, and Guy S. Neal for Sergeant at Arms.

Mr. Ahern of Concord offered the following names as the nominees of the Democratic caucus:

Albert Lazure for Clerk and Carl Savage for Assistant Clerk.

On motion of Mr. Ahern of Concord the Clerk was instructed to cast one ballot for the nominees of the Republican caucus and they were severally declared elected.

Mr. Hart of Wolfeboro offered the following names as the nominees of the Republican caucus for doorkeeper:

Arthur A. Tilton, Harry S. Yeaton, Lenne C. Twombly and Clifton B. Tarlson.

Mr. Sanderson of Pittsfield offered the following names as the nominees of the Democratic caucus:

Charles M. Steele, Thomas Baxendale, Henry Parent and Louis Gauthier.

On motion of Mr. Sanderson of Pittsfield the Clerk was instructed to cast one ballot for the nominees of the Republican caucus and they were severally declared elected.

The above named officials then appeared and were duly qualified by taking the oath of their respective offices.

HARRIE M. YOUNG,
Clerk for 1935-1936.

On motion of Mr. Estabrook of Newton,—

Resolved, That the House of Representatives will be ready to meet the Honorable Senate at two o'clock today for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make.

MESSAGE FROM THE SENATE

A message from the Honorable Senate announced that the Senate has passed the following resolution:

Resolved, That the House of Representatives be informed that the Senate having assembled, has organized by the choice of Anson C. Alexander, as president, Benjamin F. Greer, as clerk, Frank M. Ayer, as assistant clerk, Ray-

mond B. Lakeman, sergeant-at-arms, Benjamin H. Bragg, as messenger, and William W. Allen, as doorkeeper, and is now ready to proceed with the business of the session.

The message further announced that the Senate had passed the following resolution, in the passage of which it asked the concurrence of the House of Representatives:

Resolved, by the Senate, the House of Representatives concurring, that the joint rules of the last session of the Legislature be the joint rules of this session until otherwise ordered.

On motion of Mr. Sanderson of Pittsfield,—

Be it resolved by the members of the House that the Clerk be instructed to send a message of sympathy to our fellow member, John J. Kearns of Manchester and his family in their hour of bereavement.

The Speaker appointed as a committee to prepare such resolution Messrs. Booth, Connolly, Driscoll, Barnard and Chase of Manchester.

William F. Clancy of Manchester having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

At 1:15 o'clock the House took a recess for forty-five minutes.

AFTER RECESS

MESSAGE FROM THE SENATE

A message from the Honorable Senate announced that the Senate had passed the following resolution:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for Governor and Councilors agreeably to the provisions in the Constitution at two o'clock this afternoon, and for the election of a Secretary of State, State Treasurer and Commissary General.

JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention

On motion of Senator Wilson of Dist. No. 16,—

Resolved, That a committee of five be appointed by the Chair to wait upon His Excellency the Governor, and inform him that a quorum of each branch of the Legislature has assembled, and is ready to receive any communication he may be pleased to make.

The Speaker appointed as members of such committee Senator Wilson of District No. 16, Senator Eastman of District No. 14, Mr. Saltmarsh of Concord, Mrs. Smith of New Hampton, and Mr. French of Lebanon.

Senator Wilson of District No. 16 reported that the committee had attended to its duty and that the Governor had a communication which he desired to lay before the convention at the earliest opportunity.

MESSAGE FROM THE GOVERNOR

His Excellency, Acting Governor Charles M. Dale, appeared attended by his Councilors and delivered the following address:

Speaker Henderson, President Alexander, Members of the General Court, fellow citizens, and friends:

It has been my privilege during the past two years to serve in close association with Senator Bridges in considering the problems confronting our State, and to have a part in the solution of those problems.

Senator Bridges has completed his duties as chief executive of our State, leaving a splendid record behind him, and has entered upon a service to our State and Nation as a Senator at the National Capitol. I know that the well wishes of all of us go with him.

Agreeably to the Constitution of New Hampshire I have entered upon the discharge of the duties of Governor. At

the request of Senator Bridges it is, therefore, my privilege to deliver to you his ex-augural address.

EX-AUGURAL ADDRESS OF H. STYLES BRIDGES
GOVERNOR OF NEW HAMPSHIRE

DELIVERED BY CHARLES M. DALE, PRESIDENT OF THE STATE SENATE, ACTING GOVERNOR

It has become the custom in New Hampshire, for the Chief Executive, upon his retirement from that office, to appear before the incoming Legislature and to present a review of the record of his administration as a prelude to the induction into office of a new Governor and the presentation of his program for the future.

I appreciated the honor conferred upon me by the people of New Hampshire in choosing me to serve them in the high office of Governor and I have enjoyed the two years during which I have filled that post.

General Problems Faced

During my term as Governor the state faced three general types of problems. One was the necessity for meeting the immediate needs of those in distress and for taking such action as we could to prevent the future recurrence of the tragedies of the depression through which we were passing. A second was the general problem of economic development and the conservation of our resources. The third, dovetailed into every phase of the first two, was our state financial situation.

State Finances

When I assumed the Governorship on January 3, 1935, we had come to recognize that the critical situation, particularly as regarded the financing of emergency relief, could not be regarded any longer as an emergency problem, but must be looked at from a long range point of view. This we did, and set as our goal a pay as you go basis for

the State, and a balanced budget, that is, the payment of current expenditures from current revenue. During my term as Governor, I have had the co-operation of the two departments which have specific charge of the State funds—the Treasury and Comptroller Departments.

When the emergency relief legislation of 1933 expired on December 31, 1934, the State was carrying a deficit on its account of $177,025.54 and in turn owed creditors in the state $446,376.66. The Legislature of 1935 authorized the temporary borrowing of $400,000 to liquidate the debts. Bills were promptly paid, as fast as audited, and collections were made from the towns, cities and counties owing the State. If the Legislature had not cancelled $77,258.72 owed by the towns, cities and counties to the State, the relief act would have liquidated itself automatically.

The Legislature authorized an appropriation of $1,800,000 to meet the expenses of relief from January 1, 1935 to June 30, 1936, and an appropriation of $1,200,000 from July 1, 1936, to June 30, 1937. In the first period $1,800,000 was spent and has since been completely retired from the current income to the general sinking fund. Present estimates indicate that on June 30, 1937, sufficient funds will have accumulated from income to the general sinking fund so that the $1,200,000 can be retired.

The last of the highway bonds for permanent road construction, authorized by the Legislature of 1929, have been issued. The revenue deficiency, accumulated over the previous two years, of approximately $600,000, has been retired in large part. The Legislature of 1935 authorized a bond issue of $1,000,000 for public works in order that the State might take advantage of Federal Government co-operation in needed building problems for its various institutions. To date part of this has been expended and several building projects are in process. A bond issue for this purpose is logical because these are permanent improvements and it is sound business to amortize their cost over a period of years.

The net bonded indebtedness as of December 31, 1934, was $12,130,000. The net bonded indebtedness on November 30, 1936, was $12,378,000. As a result of that dire calamity, the great floods of March, 1936, the Legislature was called in special session and a bond issue of $2,130,000 was authorized, the means of retirement provided through the surplus receipts of the gasoline road toll and extending the time limit of the present toll.

I believe that New Hampshire today is in a fortunate position as regards its moderate indebtedness and its sound method of providing for retirement by ear-marked revenues. We have met the financial problems of the depression in a constructive, forward-looking manner and at the same time have maintained the financial standing of the state. New Hampshire's credit rating today is second to none in the Union; as is shown by the fact that we have been able to issue long time bonds as low as one and one-quarter per cent and have made temporary borrowings as low as eighteen hundredths of one per cent. Within ten days we have borrowed at a rate of twenty hundredths of one per cent.

The State closed its books on June 30, 1936, with a balance in the Treasury of $3,145,016.97. A new high record was made for the previous twelve months with receipts of $30,745,450.12 and disbursements of $29,531,508. The policy which I outlined in my inaugural address of 1935, a balanced budget and strict economy, was maintained all along the line, but without impairing efficiency or curtailing necessary service.

I stated two years ago that New Hampshire must adopt the policy of the prudent citizen, who did not spend more than he earned, and who did not borrow more than he would ultimately be able to pay. I feel that this has been done and that policy maintained. We have paid current operating expenditures from current revenue.

Taxation

During my administration the state tax commission prepared, at my request, a valuable study of possible new sources of revenue for the state. This they have brought up to date for the use of my successor in office, who will bring this very important matter to your attention. At this time I would only point out to you the significant fact that of every New Hampshire tax dollar only six cents and two mills goes to the state. The county takes eight cents and nine mills and 84 cents and nine mills is spent locally. That is where economy and retrenchment must begin if taxes are to be lowered.

The last Legislature, upon my recommendation, passed a Municipal Budget Act which was the first constructive step looking to the control of local expenditures.

In 1935, 52 towns adopted the municipal budget act. In 1936 four of these towns rescinded the vote of adoption, but 20 more towns adopted the act, so that at the present time 68 towns in New Hampshire are operating under the municipal budget act. Another favorable circumstance is the fact that an average increase of 5 per cent in taxes collected is reported.

Direct Relief and Old Age Assistance

During 1935 and 1936 an outstanding problem, involving large expenditure, has been direct relief. How to provide adequately and economically for the needs of over 58,000 citizens of the state was the question which faced the 1935 Legislature. After careful consideration it voted to return the administration of relief to local units of government under state supervision through a state board of welfare and relief; providing for financial participation by the State in the form of reimbursement to an extent not greater than 50 per cent of the expenditures for direct relief by the local units.

Monthly, on the average, during the year 1935, there

were 42,000 persons on direct relief and the total expenditure for the year for that purpose was $4,225,000. The peak load was reached in January, 1936, when more than 45,000 citizens were receiving aid and the cost for the month was nearly $418,000. Today, owing to the employment of many direct relief recipients on federal work relief projects and because of increased private employment, the state relief rolls are considerably reduced, yet there remain approximately 30,000 citizens who are in need and for whom about $250,000 is being expended monthly.

In carrying out the provisions of the present relief law, the state board of welfare and relief has operated through a director of relief and a staff of field agents. I feel that it has done its work well and has achieved to a remarkable degree its dual purpose of harmonious co-operation with county, city and town relief officials and humane, wise and economical care of the state's needy.

Careful observation and study of the administration of our emergency relief measures leads to the belief that the State now should adopt a permanent relief policy, redefining State and local responsibility, avoiding duplication of effort and allowing better planning for the future, more efficient and economical operation. Experience indicates that state supervision of local administration of relief should be continued and that a merit system should be adopted in the selection and promotion of personnel engaged in relief services both in state and local offices.

Old Age Assistance

That aged persons in need should be provided with a decent standard of living at public expense has been recognized in New Hampshire since 1931, when the Legislature adopted an old age assistance law. It was logical, therefore, that this state should be prompt in co-operation with the federal government in this regard under the National Social Security Act. The result has been a flood of applications for assistance, averaging 200 a month, and the

average number of grants made monthly has been 100. In New Hampshire there are today over 3,000 citizens receiving old age assistance grants of $21.50 on the average at a monthly cost of over $65,000. Of each grant not exceeding $30 per month 50 per cent is paid by the federal government.

In 1935, when the State and its political sub-divisions were carrying the burden of old age assistance alone, the cost for this type of aid for the year was $403,660. The cost for the year 1936 will be approximately $640,000 and at the present rate of increase the expenditure for the year 1937 will be over a million dollars. Thus it can be seen that this form of public assistance will very shortly constitute a financial problem, paralleling in magnitude the direct relief situation. The ever increasing tendency on the part of children to evade their legal as well as moral responsibility for the support of their aged parents presents a difficult problem.

The intent of the National Social Security Act and of the New Hampshire old age assistance law is to provide a decent standard of living for the aged who require public aid and toward that objective we are working as rapidly as time and resources permit.

Welfare Work

The state Division of Welfare has made excellent progress in its various lines of work during the past two years. Increased aid has been given in maintaining the home life of dependent mothers and children, so that now over four hundred families with one thousand children are receiving assistance. The Child Welfare section has been able to increase its work for dependent and neglected children, especially in rural areas. That group of tragic handicap, the needy blind, are being assisted to the number of 274 in living as normal and constructive lives as an enlightened civilization can provide for them. Valuable and appreciated help has been given war veterans through an official

especially designated for that work, who has travelled forty thousand miles and visited every community in the State. Good progress has been made in an important work, the compilation of a central index, registering all persons receiving assistance from a public or private source.

Institutions

New Hampshire has every reason to be proud of the institutional care she gives to the mentally and physically ill among her people and to those requiring restraint as dangerous to community peace and welfare. The gravity of the problems with which these institutions are concerned has increased greatly in recent years and it is well that we have made corresponding progress in the intelligent sympathy and practical philanthropy with which we seek their solution. We are still far from the ideal treatment pointed out by modern investigation and experience, but we are approaching it as rapidly as our means will perrmit. The increase in the cost of living complicates the situation as to these institutions by so adding to the burden of upkeep as to delay the permanent investment in improved facilities which wisdom and foresight recommend. Our institutions are fortunate in their executive personnel and in their boards of trustees.

Probation

As a candidate for Governor in 1934 I outlined to the people a concrete program which I proposed to support if elected. All but one of the major points in that program were enacted into law by the legislature of 1935, an example of co-operation which I appreciated highly. The single exception was my proposal to improve our inadequate system of dealing with juvenile delinquency. I recommended then the enactment of laws to establish a system of child probation and juvenile courts. There will be presented for your consideration redrafts of that proposed legislation, the need for which has increased as the problem has become

more pressing. These new drafts are the result of careful study by citizens who have given freely of their time and means to give you the best thought on this subject. This is not my own view alone. It is the opinion of officials in other states where similar legislation is in effect. It is the opinion of national authorities with whom I have talked. I commend this program to you.

Education

New Hampshire expends upon the education of her youth a large share of her tax revenue, and it is wise and right that this should be the case. We have at Plymouth and at Keene two excellent state normal schools, for the training of teachers for our excellent, up-to-date public school system. We have at Durham a State University whose gratifying growth and increased benefit to the State have created at the same time a problem of support which our people have willingly assumed. The important matter of choosing a President of the University to succeed the late Doctor Lewis, so highly esteemed and well beloved, has been performed by the trustees with a satisfactory and promising result.

Cordial co-operation among all our educational agencies is necessary if the State is to reap all possible benefits from them.

Labor

By legislative and executive action the scope of the work of the State Department of Labor has been increased greatly during the past two years. The ratification of an interstate compact on minimum wage standards for women and minors has been followed by the creation of a permanent interstate compact commission and the organization as an integral part of the State Labor Bureau of a minimum wage division which is functioning effectively. Perfecting amendments have been made to several labor statutes and a

special commission for the study of occupational diseases will make a report to you. A co-operative agreement between the New Hampshire Employment Service and the United States Employment Service has had valuable results.

The enactment and putting into effect of our State Employment Compensation Law enabled us to be the first State to qualify under the Federal Social Security Act, a pioneer position which has attracted national and favorable attention to our law and its method of administration.

Fish and Game

During the past two years the state Fish and Game Department has attained the greatest measure of actual achievement and public confidence, in its history. A conservative estimate gives six million dollars as the amount spent in a year in New Hampshire by hunters and fishermen in pursuit of their sport. Of this, 97 per cent goes into private business interests and only three per cent to the State department to assist in its maintenance. We have come to realize the importance of wild life as an economic resource and the necessity for a businesslike administration of its conservation and utilization. This must be made possible by sensible and well-considered laws.

Planned Economic Development

The Legislature of 1935 granted my request that a temporary State planning agency be made permanent with a view to the development of industries now here, as well as bringing new ones in and expanding our recreation industry. Since its establishment the State Planning and Developing Commission has accomplished much and planned more. A comprehensive inventory of State resources is nearing completion. No less than twenty-one advisory committees, with members of expert knowledge and broad experience, are studying subjects of vital importance to state progress and conducting fact-finding surveys on those lines.

All of the Commission's activities, including its encouragement of city and town planning and zoning regional development, have been definitely directed towards the construction of a master plan for state development. But in the course of its long range work, many special problems have arisen, which have called for, and received, immediate attention and solution. The indirect and intangible benefits of state planning are reflected in the growing consciousness and acceptance of planning principles by the public. Eventually they will result in a more efficient conduct of the business of the State and of its subdivisions.

As a result of preliminary studies by the State Planning Board and on recommendation of the Governor the Legislature of 1935 took a long step forward in State development policy by the establishing of a land use board and a water resources board, both of which already have proved their usefulness. Creation of the land use board gave the State for the first time control over, or at least a major influence in, federal land acquisition in New Hampshire. It has been in effect in connection with the Bear Brook recreational project, in three towns in two counties, and in connection with the latest proposed enlargement of the White Mountain National forest area, the latter concerning eighteen towns and one city.

Water Resources

New Hampshire always has been conscious of the value of her water resources, but it remained for the Legislature of 1935 to enact the necessary statute for a definite program of progress on lines of conservation, development and control, the last named phase being emphasiezd by the floods of 1936.

The act contemplated construction of storage reservoirs at strategic points, with provision for cost liquidation through contributions by downstream beneficiaries in this and neighboring states. In November, 1936, the Governor

and Council gave approval to the first actual construction project undertaken by the Board, a reservoir in Pittsburg to cost $2,300,000. and to be financed by the issuance of bonds of the Water Resources Board to be carried and ultimately paid off by annual payments by beneficiaries of the Connecticut River and without cost to the State. This reservoir will add to the usefulness of the Connecticut River to present industries; will enhance the recreational assets of the Connecticut valley; will be a definite contribution to flood control; and is expected to result in additional downstream power developments which may increase New Hampshire's tax valuation by as much as $20,000,000.

Complete engineering studies have been made of two other important storage conservation sites, and other studies are in progress. An interstate compact commission on watersheds has been established and regional, interstate and federal co-operation in flood control have been promoted. The work of the Board to date has proved the soundness of its program and its ability to bring lasting benefit to the State.

Aid to Industries

In the great progress of the recreational industry in New Hampshire in the past decade the State government has had and still has, in increasing degree, a large part. This was the most notable achievement of the publicity board, now incorporated in the development commission, and in recent years the development of recreational areas has been an appreciated feature of the fine program of the State Forestry Department. The Regional Development Associations which have been developed have done splendid work, and something should be done to place them upon a more permanent basis.

A worthy expenditure has been the State aid extended to the New Hampshire League of Arts and Crafts in which 2,000 people now are actively interested with encouraging

financial success and prospects for an important development of small industries, utilizing native skill and originality and local materials.

A valuable technical research service, operating at the University of New Hampshire, is available without charge to New Hampshire industries.

The Legislature of 1935 appropriated $5,000 a year for the use of the Planning and Development Commission in seeking new industries for the State and making sure that none now established were lost. The Commission has proceeded with care on this line, taking advantage of the tendency towards decentralization in the metropolitan areas, but going on the principle that the State does not wish industries which pay very low wages or which wish to evade the payment of their fair share of taxes.

It has been the privilege of the State to assist during the past biennium in the rehabilitation of two of New Hampshire's most important industrial centers. At Berlin, in co-operation with the federal government and the municipality, aid was given the great Brown Company to keep its plant in operation until a period of renewed prosperity has arrived.

From the very beginning of my administration the critical situation in our chief city of Manchester, which finally resulted in the liquidation of the Amoskeag Manufacturing Company, has had my diligent attention. I sought directly of the President of the United States assistance in saving this great industry. I appointed a special textile commission to probe the problems of the industry and make recommendations.

When liquidation finally was ordered, the State through the Planning and Development Commission, took part in the conferences which resulted in that splendid achievement on the part of Manchester people, the creation of Amoskeag Industries Incorporated, which, under the leadership of Honorable Arthur E. Moreau, has accomplished wonders

in the utilization of the Amoskeag plants and the industrial rehabilitation of Manchester. It would be hard to exaggerate what this means to the State as well as to its largest city.

It is natural that throughout my administration I have been desirous of giving aid to agriculture, and I much regret that the attempt of the Legislature to solve the milk supply problem for the benefit of New Hampshire producers should not have been successful. We are now co-operating with the poultry growers of the State in testing birds for disease. Our Fresh Egg Act passed by the last Legislature is working out very satisfactorily. We must do what we can for the farmers if the prosperity of the State is to have a sound and substantial basis.

During the last two years there has been much activity in the Highway Department; primarily, because of the large grant of Federal money for highway purposes made two years ago by a special act of Congress. There was around two million dollars made available to the State from this fund. This, with our regular bond issue for reconstruction and regular Federal Aid, made available something over three and one-half million dollars for reconstruction on our main line system and the more important sections of State Aid roads.

The increased mileage brought about by these Federal grants and the added mileage built by the regular State Aid, has, of necessity, increased our maintenance cost and the mileage of roads that must be maintained during the winter months. Winter maintenance has become a very important factor in our highway work. During the season of 1935 and 1936 the Department expended over $500,000 for winter maintenance, half of which was used for sanding and keeping the roads safe for traffic. The excellent condition of New Hampshire winter roads is becoming generally well known, and our reputation in this respect extends throughout the nation.

The disastrous flood in the spring of 1936, washing out miles of our highways—both State and Town—and destroying nearly two hundred bridges and culverts, has added greatly to the activities of the Department during this past year. Considerable delay was experienced in getting the Federal Aid so that the work of rebuilding and repairing was, of necessity, postponed until fall; but, in spite of the delay all of the roads have been repaired and most of the smaller bridges replaced or repaired, and practically all of the larger ones under contract.

Our Highway Department is a sizeable business organization and its activities extend into every town, and city in the State, state help going into various types of roads, from farm to market or classified roads through our trunk line systems.

Two of our important regulatory departments are the Insurance Department and the Public Service Commission, both departments whose functions relate directly to the personal affairs of our people. The importance of the Insurance Department has increased with the years. Through it the State has established standards of service and equity to both the companies doing business in the state and to our people. Today the State Insurance Department of New Hampshire is rated as one of the most efficient administrations in the entire United States.

During the past two years the Public Service Commission has continued its effective regulation of our public utilities. Rate decreases, particularly in the electric field, approved by the Commission have not only brought lowered costs to consumers but have increased potential comforts in the home and necessities in factory and farm. That these adjustments have been brought about without expensive litigation to either the State or the companies is a tribute to the vigilance of the Commission and indicative of the cumulative effect of New Hampshire's vigorous policies over a period of years. On the part of the companies it

indicates a co-operative attitude and a willingness to contribute to the public good.

With the increasing number of governmental functions which have accompanied the vast economic and social changes which we have witnessed since the World War the office of the Attorney General has had thrust upon it an annually increasing burden of detailed work. This burden has now come to be so heavy that I have no hesitancy in advising you that provision for another assistant Attorney General would be a good investment for the State. And that additional personnel should be added to the office of the Investigator.

The State Motor Vehicle Department, in addition to its normal duties of licensing motor vehicles and motor vehicle operators, has assumed the essential function of promoting state wide safety programs in an effort to curb the startling total number of deaths and personal injuries arising out of motor vehicle accidents. The highway patrol, biennial inspections of vehicles, and the day in and day out safety program of this department is worthy of commendation and are bringing results.

We have two state departments that deal essentially with standards. These are the State Purchasing Department and the Department of Weights and Measures. One is concerned primarily with the State and its business, while the influence of the other affects the daily lives of all of us.

In recent years practice and standards in the Purchasing Department have been greatly improved. To local and county governments desirous of effecting economies in public business, the department has always stood ready to aid, but has been rarely called upon.

Administration of the Weights and Measures Department has been as vigorous as the budgetary allowances would permit. Recommendations will be made to you for expansion of this service which is a service of protection to every consumer in the State.

The high quality of work which has always characterized the State Tax Commission has continued during the last two years. This Commission has a great responsibility in guiding the tax assessment policies of the State. It has also become a useful factor in assisting local government units in the normal processes of administration and accounting.

Under direction of the State Cancer Commission, New Hampshire has forged far ahead in the preventive and curative field in this important aspect of the health of our people. The objective is worthy of your earnest consideration.

Two other regulatory agencies of major importance are the State Liquor Commission and the State Racing Commission, both responsible for functions which are now producing substantial revenues for the State, and both are doing effective work.

In this review of the past two years in State government affairs, I have not mentioned some of our most important departments and the splendid work they are doing. Most of you are aware of it and can learn its details from the various official reports. In regard to all of them I wish to say that throughout my administration I have had without exception loyal, efficient, interested co-operation from every department head and the entire personnel of the State force. It is animated by the right spirit. It is doing its work well. It deserves your appreciation and support.

I want to take this occasion to thank the members of my Council for their loyal and most effective service during the past two years. I want to thank the Secretary of State for the efficient performance of his duties in connection with the council meetings.

The Legislature of 1935 co-operated in a very fine manner with me, as Governor, and I wish for Governor Murphy the same type of co-operation from the 1937 Legislature;

and to Governor Murphy, my successor, to the members of the Executive Council, and to the Legislature, I extend my best wishes for a very successful and useful term of service.

On motion of Senator Cole of District No. 22—

Resolved, That the Senate and House of Representatives, in convention assembled this sixth day of January, 1937, have listened with gratification to the message of Governor H. Styles Bridges and hereby express to him the high esteem in which we hold him and his conduct of his office.

On motion of Mr. Callahan of Keene—

Resolved, That the Clerk be instructed to procure the usual number of copies of the Governor's message.

On motion of Senator Morris of District No. 2—

Resolved, That the Honorable Secretary of State be requested to lay before the convention the return of the votes for Governor and Councilors cast in the last election.

The Honorable Secretary of State then appeared and laid before the convention the return of the votes for Governor and Councilors cast in the last election .

On motion of Senator Doe of District No. 20,—

Resolved, That the votes for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House, to examine, to compare and count the same, and report thereon.

The Speaker appointed as members on such committee Senator Doe of District No. 20, Mr. Wylie of Concord and Mr. Cheever of Wilton.

On motion of Mr. Barnard of Manchester,—

Resolved, That the convention proceed with the election of a Secretary of State, State Treasurer, and Commissary General by ballot.

Mr. Ahern of Concord nominated Mr. Fay of Portsmouth for Secretary of State.

On motion of the same member the Clerk was instructed to cast one ballot for Enoch D. Fuller for Secretary of State.

The ballot was so cast and Mr. Fuller was declared elected.

For State Treasurer a ballot was ordered with the following results:

Total number of votes cast	370
Necessary to a choice	186
Mr. Cormier had	125
Mr. Kimball had	245

Mr. F. Gordon Kimball was declared elected State Treasurer.

On motion of Mr. Ahern of Concord the Clerk was directed to cast one ballot for Charles W. Howard for Commissary General.

And the ballot was so cast and he was declared elected.

Senator Doe for the committee appointed to examine, compare and count the votes cast for Governor and Councilors at the last election presented the following report which was adopted.

Canvass of Votes for Governor and Council at the biennial election held November 3, 1936

FOR GOVERNOR

	Murphy, r	Blandin, d	Bergeron, f-l
Rockingham	16,400	9,736	45
Strafford	9,816	9,284	102
Belknap	6,334	4,582	12
Carroll	5,170	2,616	12
Merrimack	14,271	12,583	54
Hillsborough	33,701	26,471	99
Cheshire	8,142	5,415	19
Sullivan	6,291	3,795	13
Grafton	10,954	7,886	69
Coos	7,099	6,643	1,192
Totals	118,178	89,011	1,617

Francis P. Murphy having a plurality of all the votes was elected Governor.

FOR COUNCILORS

First District

Virgil D. White, Ossipee, r	21,851
Frank M. Richardson, Littleton, d	16,722
Richard H. Ramsey, Berlin, f-l	835
Plurality for White	4,294

Second District

Charles M. Dale, Portsmouth, r	22,337
Edmund R. Fay, Portsmouth, d	18,456
Wright B. Sykes, Dover, f-l	62
Plurality for Dale	3,819

Third District

Frank L. McAllister, Manchester, r	15,483
Thomas A. Murray, Manchester, d	22,048
Plurality for Murray	6,565

Fourth District

William Weston, Hancock, r	19,910
Alvin A. Lucier, Nashua, d	20,194
Plurality for Lucier	284

Fifth District

George Hamilton Rolfe, Concord, r	22,933
John W. Stanley, Concord, d	19,787
Plurality for Rolfe	3,146

On motion of Senator Hamlin of District No. 8,—

Resolved, That a committee of five be appointed by the Chair to wait upon the Honorable Francis P. Murphy and inform him officially of his election as Governor of the State of New Hampshire and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The Chairman appointed as members of such committee Senator Hamlin of District No. 8, Senator Blood of District No. 15, Mr. Scammon of Exeter, Mrs. Atwood of Barrington and Mr. Sanderson of Pittsfield.

On motion of Senator Randall of District No. 11,—

Resolved, That a Committee of three be appointed by the Chair to wait upon Virgil D. White, Charles M. Dale, Thomas A. Murray, Alvin A. Lucier and George H. Rolfe and inform them officially of their election to the Honorable Council.

The Chairman appointed as members of such committee Senator Randall of District No. 11, Mr. Lewis of Littleton and Mrs. Dondero of Portsmouth.

On motion of Senator Hanson of District No. 10 the Convention rose.

On motion of Mr. Carpenter of Wolfeboro,—

Resolved, That the Speaker of the House is hereby authorized to appoint—one Custodian of Mail and Supplies, one Warden of the Cloakroom, one Assistant Warden of the Cloakroom, one Library Messenger, one Telephone Messenger, five pages and one page to the Speaker.

On motion of Ahern of Concord,—

Resolved, That unless otherwise ordered the hours for assembling of the House be at eleven o'clock in the forenoon and two o'clock in the afternoon until January 27.

On motion of Osborne of Sunapee,—

Resolved, That the Clerk with the approval of the Appropriations Committee, be authorized to secure the services of

one stenographer for the use of the Speaker and Clerks, and two for the use of the members.

On motion of Mr. Wadleigh of Milford,—

Resolved, That a committee of ten members, one from each County, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the Legislature and report such selection to the House for consideration.

The Speaker appointed as members on such committee Messrs. Wadleigh of Milford, Rogers of Plainfield, Saltmarsh of Concord, Wiggin of Tamworth, Rose of Portsmouth, Little of Barnstead, Atwood of Barrington, Despres of Jaffrey, Collins of Lisbon and Whitcher of Whitefield.

On motion of Mr. Hart of Wolfeboro at 4:30 o'clock the House adjourned.

THURSDAY, JANUARY 7, 1937

The House met at 11 o'clock.

Prayer was offered by the Rev. Clarence B. Etsler of Claremont.

LEAVE OF ABSENCE

Mr. Matheson of Goffstown was excused for the day on account of illness.

APPOINTMENT OF ATTACHEES

The Speaker appointed the following attachees.

Warden of the Coat Room: Charles H. Bean, Jr.

Assistant Warden of the Coat Room: Edward D. Smith.

Library Messenger: H. M. Thyng.

Telephone Messenger: Charles F. Adams.

Custodian of Mail and Supplies: Wallace Thompson.

Pages of the House: Herbert Currier, Gerald Wadman, Melvin Brungot, Edgar Jacques, John H. Henson, Jr.

Speaker's Page: Robert Stark.

RESOLUTIONS

On motion of Mr. Pillsbury of Derry,—

Resolved, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the days when the House is actively in session, one daily newspaper, published in the state, each member and officer to choose the paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

On motion of Mr. Ahern of Concord,—

Resolved, That the Chairman of the Judiciary Committee be authorized to appoint one messenger and one stenographer.

On motion of Mr. Wadleigh of Milford,—

Resolved, That a committee of three be appointed by the Chair to assist the Clerk in procuring as soon as possible 2000 copies of the legislative manuals, 1000 paper-bound and 1000 in substantially the same form and binding as that of 1935.

On motion of Mr. Saltmarsh of Concord,—

Resolved, That the committee on rules with such members as the Senate may join, be a committee on joint rules of the House of Representatives and the Senate.

On motion of Mr. Hart of Wolfeboro,—

Resolved, By the House of Representatives, the Senate concurring, that a committee of two on the part of the House and one on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate as early as possible.

The Speaker appointed as members of such committee on part of the House, Messrs. Hart of Wolfeboro and Molloy of Nashua.

On motion of Mr. Callahan of Keene,—

Resolved, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock, and when the

House adjourns tomorrow morning it adjourn to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Pray of Portsmouth,—

Resolved, That the drawing of seats be made a special order for this afternoon at 2 o'clock.

On motion of Mr. Hart of Wolfeboro, offered the followed resolution,—

Resolved, That the Speaker appoint a committee of three members of the House of Representatives to purchase and install a loud speaker and amplificating system in Representatives Hall, at a cost to be approved by the Appropriation Committee.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Sanborn of Wakefield,—

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11:50 o'clock for the purpose of receiving His Excellency the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

Resolved, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message, at 11:50 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the transaction of any other business that may properly come before such convention.

The message also announced that the Senate has voted to

concur with the House of Representatives in the passage of the following concurrent resolution:

Resolved, By the House of Representatives, the Senate concurring, that a committee of two on the part of the House and one on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate as early as possible. The President has appointed on the part of the Senate, Senator Doe.

JOINT CONVENTION

The Honorable Senate then came in and two branches being in convention on motion of Senator Burque of District No. 13,—

Resolved, That the Chair appoint a committee of three consisting of one Senator and two Representatives, to escort the Governor-elect to the House of Representatives.

The Chairman appointed as members of such committee, Senator Burque of District No. 13, Mr. Stearns of Hancock and Mrs. Cooper of Nashua.

COMMITTEE REPORTS

Senator Hamlin of District No. 8 presented the following report:

The Committee appointed to await upon The Honorable Francis P. Murphy, and inform him officially of his election as Governor, would report that it has attended to its duty, that the Governor has accepted said office and will address the members of the House and Senate at his earliest opportunity.

Senator Randall of District No. 11, presented the following report:

The Committee appointed to await upon Honorable Virgil D. White, Charles M. Dale, Thomas A. Murray, Alvin A. Lucier and George Hamilton Rolfe and inform them officially of their election to the Honorable Council,

would report that it had attended to its duties, and that the gentlemen named have accepted the office.

The Acting Governor and the Governor-elect, attended by the Honorable Council and Council-elect then came in, and the Honorable Francis P. Murphy, Governor-elect, then took and subscribed to the oath of office and the oath of allegiance before the President of the Senate and in the presence of both branches of the legislature, whereupon the Honorable Anson C. Alexander, President of the Senate, made proclamation as follows:

Francis P. Murphy, having been duly elected Governor of New Hampshire, accepted the office and taken the oaths prescribed by the Constitution, I do hereby declare and proclaim His Excellency Francis P. Murphy Governor of the State of New Hampshire, to hold office during the period prescribed by the Constitution and Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

Rev. John T. Dallas, Episcopal Bishop of New Hampshire, offered the following invocation:

Almighty God, who has given us this good land for our heritage; We humbly beseech Thee that we may always prove ourselves a people mindful of thy favour and glad to do thy will. Bless our land with honourable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue this day with the spirit of wisdom him to whom we entrust the government of this state. Grant to the Governor of New Hampshire knowledge and patience to guide and comfort the people entrusted to him, and to Thee be the glory, through Jesus Christ our Lord. Amen.

His Excellency then read the following message:

Mr. Speaker and Members of the Honorable General Court

As I enter here today upon the duties of chief magistrate of the State of New Hampshire, I am aware that I, along with you, have undertaken a task of grave responsibility.

We are taking office at the beginning of a new era in the history of public affairs, at a time when the social and economic tensions of the depression are fast relaxing. Behind us lie the ashes of projects, schemes and theories born of anxiety and the emergency. Before us, ready to our hands, are the materials of reconstruction. Upon the manner in which we make use of those materials will the people judge our zeal in their behalf, our ability to act with wisdom and with courage, our capacity for leadership.

We shall not prove equal to the task of rehabilitation, we shall not merit the trust placed in us by the people, if we do not here make plans, if we do not so legislate and so administer the affairs of state that recovery may everywhere be aided and established on a broad, enduring foundation.

We can be happy in the confidence that the depression is behind us and that we are entering upon a period of normal activity. We are free to resume our course, by orderly legal processes, toward ever better and more stable social and economic conditions. It is now our serious duty to accept the challenge presented by our many problems and to find solutions in a permanent way in anticipation of prosperous times to come.

As the supreme legislative power of the state, you are naturally interested and are entitled to know something of my philosophy of government, the general administrative policies which will guide my actions as governor, and the nature of the program I have in mind for meeting our problems.

I. THE MISSION OF STATE GOVERNMENT

Long time observation of the operation of the government of our state, both as a private citizen and as a member

of the house and of the executive council, has convinced me that the time has come when its purposes should be restated clearly.

If we are to derive from it the greatest possible values, it must be made to function more effectively "for the general benefit" of all the people, as the constitution requires. It must be adjusted more intimately to changing conditions. Its complicated structure must be taken out of the glass case in which we have kept it, and brought into closer contact with the people. We must begin to use it as a friendly, co-operative agency for the common welfare.

The common welfare, as I regard it, embraces more than the collecting of taxes, more than the arresting and punishing of criminals, more even than the providing of educational advantages, more than the furnishing of good highways and parks and recreational facilities.

Of the very essence of government is the duty of helping its citizens solve their purely economic problems. If there is one lesson, above all others, that the depression has taught us it is that there is a great public responsibility that every citizen be given an opportunity to earn a living and to enjoy happiness in accordance with those standards which the world recognizes as the American way of life. I ask you to join with me in making use of every means at our disposal in making that possible in New Hampshire.

II. THE STATE—A GREAT BUSINESS

When we speak of the "State of New Hampshire" we are nearly always thinking in terms of the state government. However, the state means that and a great deal more. In reality, it includes not only the government but all of the citizens and it extends to all of their interests.

In that complete and proper sense, our state is a very great and complicated business enterprise, collecting and spending money for numerous purposes in order that its citizens may the more easily earn their own livings. The

people support the government and the government in turn facilitates the progress of social and economic existence.

Of the business of the state, taken in this broad sense, we know practically nothing. Neither does any government in the world. We have not advanced far enough in our methods of governmental bookkeeping. Our state comptroller and state treasurer can tell us to a cent what the state government takes in and what it pays out, but the books they keep are incomplete. By the nature of things, they amount to little more than cash accounts. This is to cast no reflection on those officials for their accounting methods, and their organizations are as good as any, to say the least.

The fact is, we lack basic facts without which we cannot possibly operate the government of the state as a business. At present, no agency is authorized to compile this important information.

We do not know the assets or the liabilities of the people as a whole. We have no knowledge of their real wealth. We do not know their income or their outgo. We have no idea how much money and goods come into the state or how much of them go out of the state. We do not know if we are paying large sums for the import of goods and services which could with advantage be created within the state.

We have no real basis for determining whether the taxes we levy are too heavy or too light, nor do we know whether the tax burden is being laid in the right or the wrong places. Are the people getting their money's worth out of public expenditures? As a government, are we extravagant or are we economical? Today we cannot find the answer to those questions because we do not have the facts.

More than a third of a century in business has taught me that there is no way to avoid the hard facts of arithmetic. Any firm in private business which is not guided by its books of accounts is bound to go under for some day there will be more debts to pay than there is money to pay them.

In order to govern the State of New Hampshire as a

whole and to promote its prosperity in business fashion—the only way in which permanent prosperity can be promoted—we must have available the essentials of business accounting, that is, a balance sheet, and an income account for the state as a complete unit.

Unless we have that information we shall continue to grope blindly in preparing our laws and in making our administrative decisions. Under those circumstances, it might be that some of our actions, though well-intended, actually would have opposite effect to that which we expected.

Realizing that accounting is the foundation of scientific government, as it is of successful business, I intend to have the possibilities of this idea carefully studied, without cost to the state. I hope, as a result, that we may have available at an early date a complete bookkeeping picture of the State of New Hampshire, its people, and their economic activities, to the end that in the making and administering of laws we may be guided by facts and thus always be able to work in the highest interest of all the people.

If we can do this, and I have reason to believe we can, we shall be placing New Hampshire in the lead among governments in law-making and administration based on facts.

III. ECONOMIC BETTERMENT

The program which I shall suggest to you as a means for improving conditions in our state will include certain legislation, administrative and educational policies.

Among the measures to be presented for your consideration will be proposals relating to the social well-being, or the health, morals and happiness of the people. There is much that can be done in that direction. We must think more and more of conserving our assets in the form of human values just as we do our material resources. In this field, juvenile delinquency is an important social problem to the early solution of which the state may well apply itself. Probation is another.

FAMILY COURTS AND PROBATION

I sincerely hope we shall be able to do something worthwhile at this session to revise our present system of probation and to establish the broad legal basis for Family Courts, or domestic relations clinics, to which may be brought for hearing not only the wayward child but also the parents or others responsible.

I do not believe that there need be any substantial increase in costs to accomplish this desirable result. If Family Courts and a real probation system are to justify their existence, they must produce a favorable effect on the maintenance costs of our prison, jails, and other places of detention to offset any added expense incidental to their establishment. Furthermore, I do not believe it will be necessary to make drastic changes in our present system of courts.

ADULT EDUCATION

While giving heed to the needs of those who suffer from moral ailments of this nature, the plight of those who suffer from causes over which they have no control must not be overlooked. These are the sufferers from economic ills—worthy young men or women who cannot find work; those whose failing strength and faculties have barred them from their usual employment, and those who—while otherwise capable—have become unfit for their normal work because of accident or other misfortune.

I would not like to think that relief or any form of assistance involving support in idleness at public expense is the only answer to the problem of such citizens. It is a fact that many of them have the will power and the mental ability needed to adjust themselves to a new occupation. They only need means whereby they can acquire a knowledge of it.

It seems to me that, as a remedy for such conditions, there are real possibilities in adult education, both for the untried youth and for the older person who has been

crowded out. I would like to see a thorough study made, under the supervision of our state Department of Education, Dartmouth College and the State Employment Service, with a view to seeing whether a statewide program of training for adults in practical subjects, designed to prepare them for gainful employment, might not be undertaken with benefit.

UNEMPLOYMENT AND RELIEF

Another group of measures which will be presented to you will concern the economic welfare, or the material prosperity of the people, especially the problems of unemployment and relief. To me, these are of extreme importance.

On June 30, the Board of Welfare and Relief will cease to exist. Since its establishment by the last General Court, it has performed a necessary function and the law which created it must be extended, or amended, or a substitute provided. Unless action is taken, the old Board of Public Welfare will automatically be restored but the state will be left without a means for conducting relief operations.

It is essential that the state maintain such an agency if it is to continue to receive certain Federal grants. The four programs in which the national government co-operates,—Old Age Assistance, Aid to Dependent Children (or Mother's Aid, as it is known under the New Hampshire law), Aid to the Needy Blind, and Child Welfare Services in the Rural Areas, are types of relief which are steadily growing in importance. If we are to take advantage of the funds which are available for these purposes the state must provide a channel through which the national government can co-operate because this cannot be done directly with sub-divisions within the state.

It is now generally admitted that actual administration of relief should be entrusted to local officials and that, so long as the state contributes to the support of local relief, it must maintain an agency which can establish standards and

supervise operations in order to secure efficient administration.

In planning to meet our relief needs, we should endeavor to so co-ordinate the various means available and the ways in which relief is administered on different levels of government that those in need may receive the greatest possible benefit with a minimum of red tape and overhead expense.

A relief program should not only set up the machinery for co-operation with the federal government, for state assistance in and supervision of local relief, but it should also include provisions for an even more important relief function, that of creating or maintaining employment.

After all, as I have stated on many public occasions, our greatest problem is un-employment. Regardless of all the theories that have been advanced, and all the experimenting that has been going on, there is only one cure for unemployment and that is employment.

We have in New Hampshire a State Employment Service and a National Re-employment Service which "find" jobs for people but, with so many out of work and opportunities so scarce, that type of aid is not enough. The situation calls for the creation of private employment.

Outside of the group of strictly unemployable persons, it is to private industry that the great masses of the unemployed must look for the final solution of their troubles.

It is clear that by assisting industry we shall be attacking the problem of relief in the most direct, and in the only practical manner. We shall never solve it by forcing people to become paupers, but we can solve it by giving them a chance to rehabilitate themselves and to retain their self-respect and self-confidence.

If it is proper, as we agree it is, for the State of New Hampshire to take part in direct relief operations and to spend a million two hundred thousand dollars in the course of a single year in reimbursing local communities for a part of their expenditures for this purpose, it is just as proper and just as necessary for the state to contribute to

the assistance of private industry wherever such action would provide employment and take people off the relief rolls.

Relief giving is not the cure for unemployment. It is only an emergency undertaking, intended to keep people from going hungry and cold and homeless; to tide them over a period of hard times, and until they can secure work. Relief cannot be carried on indefinitely. The taxpayers will not be able to stand the financial strain. Besides, relief if too long continued is bound to have a serious effect on the spirit of the people receiving it.

Under the present plan, the state contributes fifty per cent of the costs of direct relief, the object being the maintenance of a minimum standard of living for those who are eligible. Other than a regrettable lowering of the public morale, we have nothing to show for the millions of dollars we have spent. It has been used in a futile effort to maintain people in idleness under living conditions which are far below the American standard of living.

If we take a portion of this money that we are committed to spend on direct relief and use it, in the form of self-liquidating loans, to sustain or develop opportunities in private industry, in the very same communities where the state is now contributing heavily to relief costs, we shall be creating permanent values. But even if none of those loans were repaid the financial burden on the state would not be greater than it is under the present method.

ASSISTANCE TO INDUSTRY

Certain distressed industries have already appealed to the State and it has acted without hesitation. For the relief of towns, cities and counties, the Legislature of 1933 authorized them—under certain conditions and restrictions—to issue emergency notes and bonds guaranteed by the state. This law so reduced the relief load and improved the credit of the City of Berlin, the Town of Groveton, and other

towns in the North Country that the authority was extended for two years by the Legislature of 1935.

If this assistance had not been rendered by the state, the city of Berlin and the town of Groveton would have been forced into an economic condition more serious to them than the liquidation of the Amoskeag Manufacturing Company was to the City of Manchester. I believe that this law should be further extended for another two-year period.

I have spoken of these matters in detail because I desire, if it is legally possible, to have the state undertake industrial rehabilitation as a part of its relief program. For this purpose, a measure embodying my ideas has been prepared and will be introduced soon.

Under the provisions of this proposed law, no appropriation is required, authority being conferred to use for the purpose of assisting industry not more than 50 percent of any funds which may be allocated for relief. In every instance, the test of eligibility for a loan would be, first, the beneficial effect on relief and the creation of employment and, second, the inability of the borrower to secure funds through the ordinary banking channels.

It is most desirable that prior to taking any action on this measure steps be taken to ascertain its constitutionality. Accordingly, I suggest that arrangements be made with the least possible delay to transmit its text to the Supreme Court for its opinion.

PROMOTION OF INDUSTRY

Most of our industries—and when I speak of industries I mean our manufacturing, recreational and agricultural interests—will not need financial assistance but every one of them needs encouragement and needs to be fostered. Nothing should be left undone by the state which would help our industries maintain their markets and, if possible, expand them.

To supplement this, steps should be taken in an expert and aggressive manner to revive dormant manufacturing in-

dustries which are well adapted to New Hampshire's economy, and to induce new and desirable enterprises or branches of established organizations to locate in this state. Such a program would not only have a powerful effect upon unemployment but by broadening the tax base it would tend to reduce the tax rate.

CONSERVATION OF WATER RESOURCES

In our plans for assisting industry we should not overlook the important item of power which enters so largely into manufacturing costs.

New Hampshire is rich in waterpower but, unfortunately, there are at least two periods in the year when the rivers run so low that many plants find it necessary to return temporarily to steam power. At other times in the year there is excess flow which cannot be used.

The coal used by manufacturers in New Hampshire must be brought at great expense from far distant mining states and our industries are handicapped to that extent.

The program of water conservation begun by the state at the time it established the Water Resources Board is the practical answer to this problem. It calls for the building of water storage reservoirs where the flood waters may be held back and released as needed. Designed to make waterpower—New Hampshire's "white" coal—available the year round, these plans are far-sighted and should receive our full support and encouragement.

III. LABOR LEGISLATION

Not many of our citizens appreciate that New Hampshire is, with the exception of Rhode Island, the most highly industrialized state in the Union. It is not generally realized that over 62 percent of our workers are employed in industrial and commercial concerns. Therefore, the welfare of our citizens depends to an unusual degree on wages and working conditions and all the circumstances affecting labor and industry. Labor legislation in New Hampshire

comes closer to and more directly affects the well-being of the average citizen than almost anywhere else in the United States.

FORTY-EIGHT HOUR LAW

For this reason I urge the enactment of a law establishing forty-eight hours as the maximum work week for women and minors in industry which would place New Hampshire on a par with any state in the union as far as the legalized working week is concerned.

The fact that industry was able to conform to an even shorter week during the period of N. R. A. codes, and that important businesses are today continuing to operate on schedules of 40 hours a week or less is a clear indication of the trend toward a shorter work week. I look with favor upon the 40-hour week standard but believe that any reduction from 48 hours should properly be secured through the medium of inter-state compacts or by means of national legislation applying to all states. To efforts directed through these channels, I subscribe my whole-hearted support and co-operation.

WORKMEN'S COMPENSATION

In contrast with the forward-looking provisions of other state laws relating to labor, New Hampshire has on its statute books a Workmen's Compensation Law which has been severely criticized as unfair in certain respects to both employer and employee.

In order to determine whether such criticism is well-founded, I suggest that a study be made of Workmen's Compensation as established in New Hampshire, with a view to developing corrective legislation, if needed.

LABOR'S INTEREST

The people of this country have attained the highest standard of living of any people on earth, but the depres-

sion should have taught us that we have much to learn and much to do.

The workers—including all of us—desire a larger share of the things that they believe will increase their happiness. We must so conduct our industries that improved methods and increased efficiency shall give to the workers as large a share of the resulting product as justice dictates, together with reasonable leisure for its enjoyment.

There should be a clearer understanding, on the part of all, of the economic fact that the worker is a consumer as well as a producer, and that in assisting the worker to become an efficient, low-cost producer, earning high wages, it is creating greater consumer power and consequently greater opportunity for employment.

The worker also wants security, and this especially the depression has demonstrated. He needs security, for example, against loss due to industrial accidents, unemployment, and old age. Some of this security has been provided by the New Hampshire law passed to conform with the federal Social Security Act.

From the principle of those enactments there can be no real retreat, but the laws themselves will require continued study to eliminate unnecessary machinery and excessive cost of administration and to insure that the funds that shall be accumulated for the unemployed and the aged shall not be diverted.

I hope for the adoption of inter-state compacts under which states presenting similar conditions may adopt similar measures of regulation. Within the scope of such compacts may properly be included the consideration of maximum hours, minimum wages and elimination of child labor. I intend that the labor laws of New Hampshire shall be in line with those of other progressive states.

V. PUTTING OUR HOUSE IN ORDER

The very nature of government makes it advisable that its operations and the performance of its personnel be con-

tinually examined and compared with the operation of private business. Government is unique in that it is not subject to economic laws which private business has to observe under penalty of ruin.

For this reason it will be well for us at this time when we are becoming so conscious of tax burdens that, as one way of securing economy, we examine our governmental house and try to put it in somewhat better order if we can.

A PERSONNEL PROGRAM

More than a thousand people work in this great business which we call the State of New Hampshire. To regulate the hiring, compensation ,and promotion of this small army of public servants we have nothing but the Classification Law of 1925. That law does not apply to all employees and, so far as it does apply, it is inadequate as well as unsuited to the conditions of 1937.

That law should be repealed and in its place we should set up a simple personnel system based upon merit, involving an up-to-date classification of state employees, other than heads of departments and those holding teaching positions in educational institutions.

A law providing for such a personnel program should include means for establishing a schedule of salaries intended to overcome the many injustices which now exist. Its general purpose should be the protection of competent employees against the evils of political pressures which might dislodge them or deny them deserved advancement.

ECONOMIES BY CONSOLIDATIONS

We should also give some attention to certain defects which have grown up in the administrative structure of our government. Such of these problems as can be worked out without shock or harmful effect, by means of regroupings of services and consolidations of departments, will mean gains in the efficient conduct of state business and, in most instances, will result in financial economies.

ECONOMIES BY CURTAILMENT

The demand is frequently made that a stop be put to the steadily mounting costs of government. More than that, it is often times urged that steps be taken to effect economies by dropping certain services. Those drastic proposals are not practical.

A glance back over the history of New Hampshire shows how successive generations have brought with them great changes in the way and condition of living. The General Court has constantly tried to keep the structure of the government adjusted to the demands for new and needed services.

As a result, there have been gradually built up as a part of the government by the unselfish efforts of public-spirited men and women activities and interests so numerous as to affect in one way or another every phase of the lives of the people.

The road that has been traveled has been too hard, the results that we see today have been gained at too great cost in human effort, to think of giving up any of the valuable ground that has been gained. A moment's reflection, in an effort to decide upon a single important state function which might be abolished or seriously curtailed, will show the impossibility of securing worthwhile savings by means of what might be termed "extravagant" economies.

It is an unsound method, because there is nothing surer than that the functions of government are slowly increasing in number and that they will continue to increase in future. The experience of the past ten years leaves little doubt as to the correctness of this view. Most people who propose this method of economizing forget that the cost of maintaining new undertakings should never be considered apart from the benefits which may be expected to flow from them. It is the task of the legislature to decide whether in each case the results will compensate for the costs.

The achievement of economies in government is not so

simple as the making of horizontal reductions in appropriation requests or of eliminating certain services. Those are not the correct answers to the problem. The solution lies in increased governmental efficiency, whereby on the one hand greater results may be accomplished without increasing costs or, on the other hand, whereby costs may be reduced without curtailing services.

STATE HOUSE ANNEX

The housing of our governmental organization is one instance where good administration demands a change in policy. The building in which we are assembled was built more than a hundred years ago and was chiefly intended for the use of the General Court and the Governor and Council. After fifty years of use it was slightly enlarged and was not changed again until 1909. In that year, the addition was built—more than doubling the capacity.

Over a quarter of a century has passed and once more the State House is proving entirely too small to meet the needs. Today, fifty or more departments, commissions, or boards, are carrying on important duties which have been assumed by the state. Over one-half of them—including most of the larger departments—have their offices located outside of the State House. Some of these offices are in business structures, others in buildings formerly used as residences—many of them at considerable distance from the Capitol. In practically every instance, the quarters are not suited to departmental needs.

For these outlying offices, so numerous and so scattered about the City of Concord as to require the issuance of a special directory for the guidance of visitors, the State is now paying rentals at the rate of about $35,000 each year. To that large sum must be added about $3,000 more representing expenditures for transportation, messenger and janitor service, for lighting, telephones, and for various other items.

This unbusinesslike arrangement of our governmental

house is costing the people of New Hampshire a great deal more than those direct outlays of money. It is time that we recognized the facts that our state government has grown, that it will grow larger rather than smaller, and that we can save much in money and gain much in efficiency by providing proper office accommodations in a central location where all departments can be brought more closely under executive control.

It is an extravagance for the state to continue under the present plan. A suitable annex, of an architectural design conforming with the present Capitol, and ample in size to provide office space for all existing state departments with provision for reasonable growth in future, should be erected. This can be done without burdening the taxpayer by issuing building bonds and providing for interest payments and the systematic retirement of the bonds out of a sinking fund into which shall be paid annually an amount equal to that which the state is now paying in rentals and other expenses incidental to its outside offices.

As a state undertaking, this arrangement would retire the entire bond issue over a period of about fifteen years. If it should prove possible to secure a 45 percent Federal grant the cost of erecting the annex could be liquidated in less than ten years.

STATE HIGHWAY COSTS

This, it seems to me, is the proper time to comment briefly upon the important subject of highways. As you all are well aware, highway costs have long constituted the chief item of state expenditures, having increased five-fold in the course of the last fifteen years. As a result of this long-sustained road building effort, there has been developed in New Hampshire a magnificent system which includes fifteen hundred miles of trunk line and approximately fifteen hundred miles of state aid road.

While we have every reason to be proud of this accomplishment, the condition of the highway fund and the height

to which costs of road upkeep have mounted warn us that the day of road building by the state on a grand scale is probably over; that our construction policies must be revised, and that—for a few years at least—we shall be obliged to place less emphasis on the expansion of the state highway system.

In the last four years, a great deal of highway reconstruction and railroad grade crossing elimination work has been made possible by means of federal grants but it is very doubtful if financial aid of this order will be received from the federal government in the future.

The last million of the state's eight million dollar highway bond issue, authorized by the Legislature of 1929, was issued last year. That means that, while the highway department will hereafter have available sufficient funds to insure all-season maintenance of the trunk line and state aid systems, it will not be in a position—without new revenue—to attempt new construction.

As to maintenance, it should be noted that in the last fiscal year it cost the state over two and one-half million dollars to maintain the trunk line and state aid roads, of which about one-half million dollars was consumed in winter plowing and sanding. That item alone is a serious drain on the financial resources of the highway department.

Under the present policy, maintenance costs will continue to grow because between fifty and seventy-five miles of road are being added each year to the state and system. It is needless for me to comment upon the hazards of increasingly heavy highway maintenance costs.

In attempting to work out a highway policy which will be just and practical, we are faced with a difficult problem. This problem involves a determination of the proper division of financial and administrative responsibility between the state and the towns. It will only be aggravated by the introduction of special legislation calling for the building of secondary roads which must be maintained by the state.

In view of the critical financial situation which prevails in

the state highway department, and the apparent need for adopting a less extensive program, I shall be obliged to regard with disfavor the introduction of special highway bills. In the most earnest and serious way, I urge the General Court to support me in this resolution.

While maintenance of our roads cannot be neglected, the state may, for a few years, have to declare a holiday on all trunk line and state aid road building, except in exceptional cases where it is necessary to construct short connecting links.

The practise of aiding towns in the construction of Class Five roads should be continued as heretofore. I do not see how, under the circumstances, the state could manage to liberalize the present arrangement.

At the same time, I wish to have it known that I am entirely in sympathy with the backroad farmer in his wish to be "taken out of the mud" and given decent farm-to-market roads. I intend to keep this problem of the rural roads continually before me in the hope that it may somehow prove possible to improve this neglected class of highway.

VI. BASIS FOR A TAX PROGRAM

In the course of this address, I have not discussed certain matters which richly deserve attention. Among these are the work of the various state departments and institutions, the University and the Agricultural Experiment Station. These are all objects of great pride for every New Hampshire citizen and it is essential that the high character of the services they render be recognized.

As their problems revolve largely about the question of finances, I shall refer more particularly to them in an analysis of the cost of operating the state government. That important matter, together with the general tax program which relates to it, I intend to discuss later in the session, in a special message dealing with state finances and the budget, which, by law, I am required to transmit to you.

Preparatory to that, and in order that you and I may

later have available an official foundation upon which to base discussions of tax matters, I have requested the State Tax Commission to develop a complete tax program, together with helpful notes and supporting figures, which they can recommend as suitable for consideration by the General Court.

This is a new function for the Tax Commission but it is an entirely logical one for it to assume. The Commission and its staff are the state's authority on tax matters. In all the years that it has been in existence it has never been required to do more for incoming legislatures and administrations than furnish estimates of probable tax yields. The state has been losing the advantage it might have had from a department which possesses a great store of expert knowledge.

A copy of the Commission's report and recommendations will shortly be placed in the hands of every member of the House and the Senate. After you have examined it, I hope you will agree with me that—whether or not you approve the recommendations of the Commission—it is a service to the legislature which ought to become regular procedure in future.

The advantages of having a definite, well-considered tax program ready for submission early in the legislature instead of attempting to develop one hurriedly and without definite facts, in an atmosphere of tension, subject to many distractions, are too apparent to mention.

VII. THE AGRICULTURAL INDUSTRY

While manufacturing constitutes the major economic interest upon which New Hampshire depends for its existence, agriculture and recreation in all their branches must be given continual attention if the resources of the state are to be developed properly. In recent years, agriculture has faced many difficulties and the resourcefulness and patience and courage which our farmers have displayed in

overcoming their problems merit our admiration and our respect.

THE DAIRY INDUSTRY

New Hampshire is naturally adapted to the raising of dairy cattle, to poultry growing and to orcharding. Of these three, dairying comes first from the standpoint of value of annual production. It has been suffering acutely as a result of the disorganized price situation existing in the New England milk market. This disturbing condition is receiving my constant thought. No one appreciates better than the dairymen themselves the difficulties which must be overcome before a solution is possible.

In New Hampshire, where the Supreme Court has ruled unfavorably on our Milk Control Law, we must develop some vehicle of helpfulness within the structure of the constitution. I have already taken steps to have this legal problem studied with a view to developing, if possible, a substitute law which will meet the objections of the Court.

In addition, I shall exert every effort to secure co-operation in milk control between the various New England states. If necessary, I shall try to bring about some measure of federal co-ordination and inter-state regulation.

ERADICATION OF ANIMAL DISEASES

The dairymen and the poultry growers of New Hampshire have been able to achieve a foremost position in the great out-of-state markets on account of the high standards they have set for quality of product. The state should continue to encourage these efforts by individuals and groups by taking leadership in certain important activities.

One of these is the eradication of diseases among animals, the greatest menace to the prosperity of owners of livestock. This work is already in progress in the Department of Agriculture and the Agricultural Experiment Station and the long-range program these agencies have undertaken in con-

junction with the federal government should be financed as liberally as means will allow.

THE POULTRY INDUSTRY

Another way in which the state can contribute materially to the prosperity of the farmer is through more adequate enforcement of the Fresh Egg Law by means of increased inspection service and by making provision to prevent destruction by preying wild animals.

I have been most favorably impressed by the great progress that has been made by the poultry growers in our state. They have asked for very little in the past and their record of accomplishment entitles them to every possible consideration.

THE ORCHARDING INDUSTRY

The story of the development of the orcharding industry has never been adequately told but it is an industry that holds great promise. Nature permits us to grow in New Hampshire fruit of unrivalled quality and flavor. In this, as in other branches of agriculture practiced in this state, our policy should be based on considerations of quality rather than quantity. For that reason, the statute governing the marketing and the grading should be strictly enforced.

VIII. RECREATIONAL INDUSTRY

The people are generally becoming aware that against a background of unsurpassed scenic attractions and under almost ideal conditions of climate, a new and very large industry— Recreation—has been built up in New Hampshire. With the rapid growth of interest in winter sports, that business has become an all-season activity.

The need for continuing our program of advertising the state's attractions is not debatable. By this time there is hardly a town in the state that has not profited more or less

from this industry. It is only a question of how much money the state can afford to spend at this time.

Plans for encouraging recreation cannot be confined to advertising alone. We must develop attractions which can be advertised. Heed must be given to the protection and replenishing of the resources upon which the industry is based. The scenery of the mountains, lake and seacoast sections must be protected against defacement.

Until now, we have scarcely begun to avail ourselves of the income-producing possibilities of recreation. If the state is to make real progress it must formulate and follow definite policies respecting its wildlife population, the biological condition of its water bodies, the problem of stream pollution, and the question of maintaining the level of recreational ponds.

IX. STATE POLICE

These references to agriculture and recreation lead me to comment upon a matter which is of great interest to the sections of the state where these industries predominate. I refer to the need for a service of protection to life and property in the rural and recreational areas.

This is a subject which has been agitated for years in New Hampshire. Many plans for the creation of a state police have been proposed and the General Court has from time to time had measures before it looking to the establishment of such a police organization. The trouble with all of these ideas was that invariably they were planned on a scale which was either too expensive or too complicated.

It is my opinion that we can have this special police protection that is so much desired and secure it with little added expense to the taxpayers. That is the only basis upon which I will endorse the proposal to establish a state police.

Having great faith in the old adage that "we ought to learn to creep before we try to walk," I do not favor plans for a large and expensive constabulary. I do not favor

proposals involving the idea of centralized control of local police departments.

However, I do favor a small detachment of trained men, operating in such manner as to avoid conflicts with town and county law enforcement agencies, set up so as to meet the urgings of the agricultural and recreational interests and yet not add to the already heavy burden on the state. It is my opinion that such an establishment may with economy and effectiveness be based upon the present highway patrol force.

X. RELATIONS WITH THE FEDERAL GOVERNMENT

Believing that great advantages will accrue to the state from a policy of close co-operation with the national government, I intend to maintain the most cordial relationships with the various federal agencies, to interest them in New Hampshire's problems, to accept their help and their leadership, and to join with them in any undertakings which in my judgment will benefit the state.

I am especially interested to see that New Hampshire farmers be enabled to participate in the national Soil Conservation Program and to share in its advantages.

XI. SERVICES OF GOVERNOR BRIDGES

I do not wish to conclude these remarks without referring in a most appreciative manner to the distinguished young man who preceded me in the office of chief executive.

As Governor of New Hampshire during the period marked by many trials, he has exercised steady judgment and did not falter in moments when critical decisions had to be made. Leaving the state house for the national capitol means the beginning of a new period of useful public service in the larger field of national affairs for Senator Bridges.

Finally, I wish to convey to you some idea of how deeply I have been affected by this meeting with you here this

afternoon; to tell you how sincerely anxious I am and always shall be to co-operate with you in every possible way that the state may profit by our joint labors, and to ask that you give me your support and your good will as you have mine.

The Most Rev. John B. Peterson, Roman Catholic Bishop of New Hampshire, offered the following Benediction:

Almighty and Eternal God, our Creator Who has endowed us with inalienable rights than which nothing here below is more precious, bless these elect to whom this day we entrust their protection.

God of wisdom, bless our law-makers. Mindful may they ever be that no man's rights may be restricted, save for the common good in the enjoyment of which he will profit rather than lose.

God of Justice, bless our judiciary. Grant to our Courts the ever vital consciousness that they should reflect Thy judgment in vindicating human rights and in avenging their violation.

God of all goodness, bless our Chief Executive. Let his be the reverent conviction that the authority by which he governs is from Thee, and devolves upon him only because he is our people's major choice. Not their master, but their servant may he be in Thine impartial equity. Bless him with light to discern the common weal, and the prudent courage always to promote it. Grant that the qualities which prospered his private life may be successfully dedicated to public prosperity. May his civic righteousness be always our confidence and pride.

Bless his every associate in government, our State and its people. Help them in these trying times to cherish the ill-prized blessings of justice and peace, the surest safeguards of our liberties.

We ask it of Thee, Eternal Wisdom, by Whom alone do rulers rule and legislators make just laws. Amen.

At the conclusion of His Excellency's address Senator

Alexander presented the Governor with the cane formerly carried by Governor Charles E. Busiel.

On motion of Senator Hamlin of District No. 8:

Resolved, That the Clerk be instructed to procure 3000 copies of the message of His Excellency, Governor Francis P. Murphy.

On motion of Senator Randall of District No. 11 the convention rose.

HOUSE

On motion of Miss Myler of Berlin at 1:15 o'clock the House took a recess for forty-five minutes.

(After recess)

Mr. Sanborn of Wakefield in the chair.

Mr. Pillsbury of Derry called for the Special Order, it being the drawing of seats.

Mr. Donnelly of Manchester having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

Mr. Booth of Manchester offered the following resolution.

Whereas, The Supreme Ruler of the Universe in his infinite wisdom has called home James Kearns, father of Representative John J. Kearns of Manchester, Minority Leader of the House of Representatives,

Be it Resolved, That the members of this House hereby extend to Representative Kearns and the other members of the bereaved family our most sincere and heartfelt sympathy in their sorrow, and

Be it Further Resolved, That the Clerk be instructed to send a copy of these resolutions to our brother member and his family.

WILLIAM J. BOOTH,
ARTHUR J. CONNELLY,
CHARLES HENRY BARNARD.
JOHN F. DRISCOLL,
STODDARD B. E. CHASE.

Mr. Etsler of Claremont for the Committee on Judiciary reported that the committee had selected as stenographer, Miss Mabel E. Dooley and as messenger Palmer C. Reed.

On motion of Mr. Stearns of Hancock at 3:25 o'clock the House adjourned.

FRIDAY, JANUARY 8, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Durham, N. H., January 8, 1937.

Mr. George H. Nash
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,
Speaker.

There being no quorum present at 9:01 o'clock, the House adjourned.

MONDAY, JANUARY, 11, 1937.

The House met at 7:30 o'clock.

The Speaker appointed the following Committees:

Committee to assist Clerk in procuring Manual: Messrs. Wylie of Concord, Baker of Concord, Rizet of Concord.

Committee on Amplification System: Messrs. Hart of Wolfeboro, Tierney of Weare, Cullen of Manchester.

Mr. Hart of Wolfeboro, for the committee, submitted the following report:

ROOM ASSIGNMENTS

Agriculture—Room 120—State House
Appropriations—Room 318—State House
Banks—Room 302—State House
Claims—American Legion Building, 21 Capitol St.—Room 6
Coastwise Improvements—Pilgrim Hall—27 North Main Street
Education—Patriot Building—Room 300
Elections—Room 317—State House
Fisheries and Game—Pilgrim Hall—27 North Main Street
Forestry—Patriot Building—Room 304
Incorporations—Room 317—State House
Industrial School—American Legion Building, 21 Capitol St.—Room 7
Insurance—American Legion Building, 21 Capitol St.—Room 6
Judiciary Committee—Room 308—State House
Labor—Room 100—State House
Laconia State School—American Legion Building, 21 Capitol St.—Room 7
Liquor Laws—Central Hall—27 North Main Street
Mileage—Room 317—State House
Military Affairs—Room 102—State House
National Affairs—Room 102—State House
Normal Schools—Patriot Building—Room 300
Public Health—American Legion Building, 21 Capitol St.—Room 1
Public Improvements—Concord Chamber of Commerce
Revision of the Statutes—Room 317—State House
Soldiers' Home—Room 102—State House
State Hospital—American Legion Building—Room 2

State Prison—American Legion Building, 21 Capitol St.—Room 2

Towns and Counties—American Legion Building—Room 1

Transportation—Central Dining Hall—27 North Main Street

University of New Hampshire—Patriot Building—Room 300

Ways and Means—Room 212—State House

Rules—Room 204—State House

JOINT COMMITTEE ROOMS

Engrossed Bills—Room 204—State House

State House and State House Yard—Room 203—State House

State Library—State Library

On motion of Mr. Ramsey of Colebrook at 7:35 o'clock the House adjourned.

TUESDAY, JANUARY 12, 1937.

The House met at 11 o'clock.

Prayer was offered by the Rev. Charles B. Etsler of Claremont.

Messrs. Molloy of Nashua, Kearns and Barry of Manchester having qualified before His Excellency the Governor appeared and took their seats as members of the House.

LEAVES OF ABSENCE

Messrs. Guay of Laconia and Cheever of Wilton were granted leaves of absence for the day on account of important business.

Mr. Rice of Rindge was granted leave of absence for the day on account of attending a funeral.

COMMITTEE REPORT

Mr. Wadleigh of Milford for the committee appointed to select the Chaplain reported that the committee recommended the name of Rev. William Weston of Hancock.

The report was accepted.

On motion of Mr. Saltmarsh of Concord,—

Resolved, That Rev. William Weston of Hancock, New Hampshire be chosen by acclamation to act as chaplain for the Legislature.

RESOLUTION

On motion of Mr. Sanderson of Pittsfield,—

Whereas, The Third Interstate Assembly has been called by the Council of State Governments and the American Legislators' Association, to be held on Thursday, Friday, Saturday and Sunday, January 21 to 24, 1937, inclusive, at the Mayflower Hotel, Washington, D. C., to consider Federal and State tax policies on the basis of the recommendations submitted by the Interstate Commission on Conflicting Taxation, which was established four years ago by the First Assembly; and

Whereas, It is apparent that substantial benefits would result from closer contacts between the Legislative and Administrative Divisions of the various State Governments, and that many governmental difficulties are aggravated by the absence of adequate facilities for conference between these bodies; and

Whereas, The present economic emergency creates an imperative necessity now emphasized by the President's Program of Economic Security for joint council and concerted action; and

Whereas, It is believed that the moment has now arrived for establishing adequate means for communication and conference between the States and the Federal Government; and

Whereas, The House of Representatives of this State is

invited to send as its delegates to this conference a delegation of its members, to be chosen in such manner as this body may determine; therefore

Be It Resolved, That the House of Representatives of the State of New Hampshire hereby authorizes and instructs the Speaker to appoint two members in addition to himself as a Delegation to the Interstate Assembly, which convenes in Washington, D. C., on January 21, 1937. Such delegation shall be without power to commit the House of Representatives to action; and

Be It Further Resolved, That the said delegation shall be entitled to reimbursement for its reasonable expenses upon presentation of the proper statement of such expenses, the same to be charged to the appropriation for legislative expenses, and

Be It Further Resolved, That the Clerk of the House immediately advise the corresponding secretary of the conference in care of the American Legislators' Association, Drexel Avenue and Fifty-eighth Street, Chicago, Illinois, of the appointment of such delegation.

On motion of Mr. James of Nashua,—

Resolved, That prayers be offered in the House five minutes previous to the opening hour and that His Excellency, the Governor, the Honorable Council and the Honorable Senate be invited to attend.

TELLERS

The Speaker appointed the following tellers:

Division No. 1—Mr. Seymour of Carroll.
Division No. 2—Mr. Kearns of Manchester,
Division No. 3—Mr. Callahan of Keene.
Division No. 4—Mr. Sanborn of Wakefield.
Division No. 5—Mr. Scammon of Exeter.

PETITION PRESENTED AND REFERRED

By Mr. Garland of Dover, petition of Eula H. Buckley of Dover praying for a seat in the House.

Presented and referred to the Committee on Elections.

BILLS AND JOINT RESOLUTIONS INTRODUCED

On motion of Mr. Callahan of Keene the rules were suspended and the first and second readings of joint resolutions by their captions made in order.

The following bills and joint resolutions were severally introduced, read a first and second time and having already been printed were referred as follows:

By Mr. Gagnon of Manchester, House Bill No. 1, An act relating to hours of labor. To the Committee on Labor.

By Mr. Gagnon of Manchester, House Bill No. 2, An act relating to hours of labor for women and minors. To the Committee on Labor.

By Mr. Knowles of North Hampton, House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton. To the Committee on Revision of the Statutes.

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Matson of Concord, House Bill No. 4, An act relating to divorce. To the Committee on Revision of the Statutes.

By Mr. Etsler of Claremont, House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

On motion of Mr. Etsler of Claremont the rules were suspended and the bill referred to a special committee consisting of the delegation from the town of Claremont.

By Mrs. Charois of Greenville, House Bill No. 6, An act relating to taking of raccoon. To the Committee on Fisheries and Game.

By Mr. O'Brien of Manchester, House Bill No. 7, An act establishing a commission to raise additional revenue for cities and towns. To the Committee on Judiciary.

By Mr. Goodwin of Bethlehem, House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem.

The bill was read a first and second time.

Mr. Goodwin of Bethlehem moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Goodwin.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

By Mr. Baker of Concord, House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire. To the Committee on Military Affairs.

By Mr. Fogg of Deerfield, House Joint Resolution No. 2, Joint resolution for the improvement of the road leading from Butler's Corner, on Deerfield South road to Ladd's Corner on the Raymond road, in the town of Deerfield. To the Committee on Public Improvements.

By Mr. Baker of Concord, House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply. To the Committee on Public Health.

By Mrs. Smith of New Hampton, House Joint Resolution No. 3, Joint resolution relating to the improvement of a road in the town of New Hampton. To the Committee on Public Improvements.

By Mr. Pray of Portsmouth, House Joint Resolution No. 4, Joint resolution for the improvement of a road in the

town of Newington and the city of Portsmouth. To the Committee on Public Improvements.

By Mrs. Mason of Berlin, Joint Resolution No. 5, Joint resolution in favor of the town of Errol. To the Committee on Claims.

By Mr. Edgerly of Gilmanton, Joint Resolution No. 6, Joint resolution for the improvement of the Province road in the town of Gilmanton. To the Committee on Public Improvements.

By Mr. Mansur of Concord, House Bill No. 10, An act relating to banks. To the Committee on Banks.

By Mr. Mansur of Concord, House Bill No. 11, An act to make mortgages insured and debentures issued by the Federal Housing Administration eligible for deposit purposes. To the Committee on Banks.

By Mr. Mansur of Concord, House Bill No. 12, An act relation to the City of Keene.

By Mr. Park of Keene, House Bill No. 13, An act in relation to the City of Keene.

The bills were read a first and second time and laid upon the table to be printed.

On motion of Mr. Callahan of Keene the rules were suspended and the bills referred to a special committee consisting of the delegation from the city of Keene.

By Mr. Mansur of Concord, House Bill No. 14, An act relating to investments of guardians. To the Committee on Judiciary.

On motion of Mr. Kearns of Manchester at 12:25 o'clock the House took a recess until 1:50 o'clock.

AFTER RECESS

The House was called to order.

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Scammon of Exeter, House Bill No. 15, An act

limiting the powers of judges of probate and justices of municipal court in the waiving of the five day law, so called. To the Committee on Revision of the Statutes.

By Mr. O'Shan of Laconia, House Bill No. 16, An act prohibiting the hunting of deer on the islands of Lake Winnepesaukee. To the Committee on Fisheries and Game.

By Mr. Pillsbury of Derry, House Bill No. 17, An act relating to investment of town trust funds. To the Committee on Revision of the Statutes.

By Mr. Ahern of Concord, House Bill No. 18, An act relating to emergency public works. To the Committee on Judiciary.

On motion of Mr. Ahern of Concord at 2:20 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Callahan of Keene at 2:21 o'clock the House adjourned.

WEDNESDAY, JANUARY 13, 1937

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Fairbanks of Newport, Osborne of Sunapee and Ramsey of Colebrook were excused for the day on account of important business.

Mr. McReel of Exeter was excused for the day on account of death in family.

Mr. Matson of Concord was excused for the day on account of illness.

Messrs. Russell of Bartlett and Wardwell of Keene were excused for the week on account of illness.

Mrs. LaBonte of Somersworth was excused until further notice on account of illness.

PRESENTATION OF GAVEL

Mr. Ahern of Concord on behalf of members of the House presented the Speaker with a handsome ebony gavel suitably inscribed.

The Speaker responded feelingly.

BILLS AND JOINT RESOLUTION INTRODUCED

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Baker of Concord, House Bill No. 19, An act providing for the employment of an assistant attorney general. To the Committee on Revision of the Statutes.

By Mrs. Brungot of Berlin, House Bill No. 20, An act relating to unemployment in the city of Berlin and in the county of Coos. To the Committee on Judiciary.

By Mr. Coakley of Concord, Ward 1, House Bill No. 21, An act relating to the taking of hares and rabbits. To the Committee on Fisheries and Game.

By Mr. Howard of Piermont, House Joint Resolution No. 7, Joint resolution for the improvement of the road from Warren to Piermont. To the Committee on Public Improvements.

By Mr. Wadleigh of Milford, House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties. To the Committee on Judiciary.

The House was at ease.

The House was called to order.

Messrs. Robert E. Sloane of Berlin, Warren Butterfield of Concord and William Thompson of Meredith having

been duly qualified before his Excellency, the Governor, appeared and took their seats as members of the House.

His Excellency, the Governor, reported that he had visited Representative Robert R. Matheson at his home in Goffstown and administered the oath of office.

BILLS AND JOINT RESOLUTION INTRODUCED

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Brungot of Berlin, House Bill No. 23, An act relating to night fishing in the Androscoggin river. To the Committee on Fisheries and Game.

By Mr. Blanchard of Farmington, House Bill No. 24, An act relating to naming that portion of state highway between Rochester and Alton bay. To the Committee on Public Improvements.

By Mr. Sanborn of Wakefield, House Joint Resolution No. 8, Joint resolution for the construction and permanent improvement of the Province Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield. To the Committee on Public Improvements.

PETITION PRESENTED AND REFERRED

By Mr. Kearns of Manchester petition of Raoul L. Ramsay of Berlin praying for a seat in the House.

Presented and referred to the Committee on Elections.

RESOLUTION

On motion of Mr. Sanborn of Wakefield,—

Resolved, That the rules of the House be so far amended that the Committee on Ways and Means consist of twenty-one members.

RESIGNATION

Mr. Callahan of Keene resigned as a member of the Com-

mittee on Liquor Laws and his resignation was accepted by the Speaker.

COMMITTEE APPOINTMENTS

The Speaker appointed as additional members of the Committee on Ways and Means Messrs. Callahan of Keene, and Bailey of Haverhill.

On motion of Mr. Tilton of Laconia at 12:15 o'clock the House took a recess till 1:50 o'clock.

AFTER RECESS

The House was called to order.

BILLS INTRODUCED

The following bills were severally introduced, read a first and second time and referred as follows:

By Mr. Head of Eaton, House Bill No. 25, An act relating to the taking of deer in Carroll county. To the Committee on Fisheries and Game.

By Mr. Barnard of Manchester, House Bill No. 26, An act relating to bulky article attachments. To the Committee on Revision of the Statutes.

By Mr. Sturtevant of Concord, House Bill No. 27, An act in amendment of an act entitled "An act amending the charter of the city of Concord."

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Sturtevant of Concord, the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Concord.

COMMITTEE APPOINTMENTS

Pursuant to the provisions of chapter 145, laws of 1935 the Speaker appointed Harold G. Fairbanks of Newport, Harold H. Hart of Wolfeboro, Ansel N. Sanborn of Wakefield, Robert H. Sanderson of Pittsfield and Harry D. Saw-

yer of Woodstock as members of the New Hampshire Commission on Interstate Co-operation.

On motion of Mr. Hoyt of Sandwich at 2:00 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Callahan of Keene at 2:01 o'clock the House adjourned.

THURSDAY, JANUARY 14, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Dickinson of Danville, Perkins of Holderness, Davis of Ashland, and Newell of Exeter, were granted leaves of absence for the day on account of important business.

Mr. Sawyer of Woodstock was granted leave of absence for the day on account of illness.

Mr. Plumer of Alexandria was granted leave of absence for the day on account of road conditions.

RESOLUTIONS

On motion of Mr. Baker of Concord,—

Resolved, That the use of Representatives Hall be granted to the Woman's Club of Concord on the night of February 11 at 8 o'clock for a public address by Geo. E. Sokolsky of New York, noted American author and traveler, whose subject will be "Social Justice and the American System."

On motion of Mr. Callahan of Keene,—

Resolved, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock, and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time and laid upon the table to be printed and referred, as follows:

By Mrs. Brungot of Berlin, House Bill No. 28, An act relating to construction of public buildings. To the Committee on Revision of the Statutes.

By Mr. Brunelle of Haverhill, House Bill No. 29, An act relating to an extended use of licenses to operate motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Molloy of Nashua, House Bill No. 30, An act relating to the building and maintenance of state roads and highways by the state highway department.

Mr. Molloy of Nashua moved that the rules be suspended and the printing of the bill and its reference to a committee dispensed with.

The question being on the motion of Mr. Molloy.

(Discussion ensued)

Mr. Molloy withdrew his motion.

On motion of Mr. Molloy of Nashua the bill was laid upon the table to be printed and made a special order for Tuesday, January 19, at 11:01 o'clock.

By Mr. Coakley of Concord, House Bill No. 31, An act relating to on-sale permits for the sale of certain alcoholic beverages. To the Committee on Liquor Laws.

By Mr. Barnard of Manchester, House Bill No. 32, An act relating to verdicts in the superior court. To the Committee on Revision of the Statutes.

By Mr. Barnard of Manchester, House Bill No. 33, An

act relating to landlord and tenant. To the Committee on mittee on Revision of the Statutes.

By Mr. Corliss of New Boston, House Joint Resolution No. 9, Joint resolution for the completion of the Francestown road in the town of New Boston. To the Committee on Public Improvements.

By Mr. Taylor of Rumney, House Joint Resolution No. 10, Joint resolution relating to the improvement of the road leading from Rumney to Stinson lake in the town of Rumney. To the Committee on Public Improvements.

By Mr. Longley of Milton, House Joint Resolution No. 11, Joint resolution for the completion of the road leading from Milton to Farmington, known as the Farmington road. To the Committee on Public Improvements.

By Mr. Head of Eaton, House Joint Resolution No. 12, Joint resolution for the improvement of the Brownfield road in the town of Eaton. To the Committee on Public Improvements.

By Mr. Lievens of Hollis, House Joint Resolution No. 13, Joint resolution relating to the improvement of the Proctor Hill road in the town of Hollis. To the Committee on Public Improvements.

By Mr. Madden of Lincoln, House Joint Resolution No. 14, Joint resolution in favor of L. A. Wyman of Lincoln. To the Committee on Claims.

By Mr. Mudgett of Conway, House Joint Resolution No. 15, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway. To the Committee on Public Improvements.

By Mr. Whitcher of Whitefield, House Joint Resolution No. 16, Joint resolution relating to the improvement of a road in the town of Dalton. To the Committee on Public Improvements.

By Mr. Hoyt of Sandwich, House Joint Resolution No. 17, Joint resolution relating to Agricultural Fairs. To the Committee on Agriculture.

By Mrs. Brungot of Berlin, House Bill No. 34, An act relating to the charter of the city of Berlin.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mrs. Brungot of Berlin the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Berlin.

PERSONAL PRIVILEGE

Mr. Hunter of Hanover, rose to a question of personal privilege regarding statements appearing in certain newspapers coupling his name with committee appointments. He stated that there was not the least feeling on his part regarding his assignments and desired further statements to cease.

The Speaker requested that newspapers refrain from commenting further.

TEMPORARY APPOINTMENT

The Speaker announced the appointment of Mrs. Bixby of Berlin to serve as a member of the committee on elections during the consideration of the petition of Raoul L. Ramsay of Berlin for a seat in the House.

The House was at ease.

The House was called to order.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Little of Barnstead, House Joint Resolution No. 18, Joint resolution for improvement of the Province road in Barnstead. To the Committee on Public Improvements.

By Mr. Adams of Seabrook, House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam. To the Committee on Fisheries and Game.

By Mr. Peever of Salem, House Bill No. 36, An act relating to capital punishment. To the Committee on Judiciary.

By Mr. Hart of Wolfeboro, House Bill No. 37, An act to license real estate brokers and salesmen. To the Committee on Judiciary.

By Mr. Winkley of Ossipee, House Bill No. 38, An act relating to expiration date of motor vehicle registrations, municipal permits and licenses for motor vehicle operators. To the Committee on Revision of the Statutes.

On motion of Mr. Osborne of Sunapee, at 12:10 o'clock the House adjourned.

FRIDAY, JANUARY 15, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk.

Friday, January 15, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock, the House adjourned.

MONDAY, JANUARY 18, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, January 18, 1937.

Mr. Erwin E. Cummings,
Lyndeborough, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Jones of Monroe at 7:31 o'clock the House adjourned.

TUESDAY, JANUARY 19, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Sullivan of Manchester was granted leave of absence on account of illness.

Mr. Brown of Bow was granted leave of absence until further notice on account of illness.

Mr. Conlon of Concord was granted leave of absence for the day on account of attending a funeral.

Mr. Wylie of Concord was granted leave of absence for the day on account of important business.

Mr. Tuttle of Temple was granted leave of absence for

Wednesday, January 20, on account of attending a funeral.

Mr. Syphers of Greenland was granted leave of absence for Wednesday, January 20, on account of important business.

Mr. Fecteau of Epping was granted leave of absence for the day on account of the death of a relative.

RESOLUTION

Mr. Bernard of Nashua offered the following resolution:

Resolved, That this House has learned with sorrow of the death of Theodore O. Ravenelle of Ward 6, Nashua and a member of the House,

Resolved, That the Speaker appoint a committee of six to prepare suitable resolutions upon the sad event, and

That the Clerk be directed to provide a floral tribute, and that the State Treasurer be authorized to pay for the same, and

That when the House adjourns today that it be a tribute to the memory of Theodore O. Ravenelle.

The Speaker appointed the following committee: William A. Molloy, John E. Barnard, Rodolfe Cormier, Ovid F. Winslow, Paul A. Moran, and Mrs. Mable Thompson Cooper.

APPOINTMENTS

The Speaker announced the appointment of J. Walter Clark of Dover, as assistant warden of the cloak room in place of Edward D. Smith deceased.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time and referred as follows:

By Mr. Caron of Manchester, House Bill No. 39, An act relating to officers and employees of the city of Manchester.

Read a first and second time and laid upon the table to be printed.

On motion of Mr. Kearns of Manchester the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Manchester.

By Mr. Collins of Lisbon, House Bill No. 40, An act relating to fishing through the ice in certain waters. To the Committee on Fisheries and Game.

By Mr. Tilton of Ward 4, Laconia, House Bill No. 41, An act for the prevention of increased unemployment and resulting pauperism and for the creation of employment by extending limited state assistance to industries.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Tilton of Ward 4, Laconia, the Speaker was instructed to obtain the opinion of the Supreme Court as to the constitutionality of the above bill.

By Mr. Lacroix of Manchester, House Bill No. 42, An act relating to licenses for motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Seymour of Carroll, House Bill No. 43, An act relating to foreign motor vehicles used solely for pleasure. To the Committee on Revision of the Statutes.

By Mr. Tolman of Nelson, House Bill No. 44, An act relating to snow removal on town highways. To the Committee on Public Improvements.

By Mr. Tolman of Nelson, House Bill No. 45, An act for the protection of pedestrians on the highways. To the Committee on Judiciary.

By Mr. Tilton of Laconia, Ward 4, House Bill No. 46, An act relating to taxation of legacies and successions. To the Committee on Banks.

By Mr. Seymour of Carroll, House Bill No. 47, An act to prevent the stealing of gasoline and oil. To the Committee on Revision of the Statutes.

By Mr. Frost of Milford, House Bill No. 48, An act re-

lating to interest on taxes. To the Committee on Revision of the Statutes.

By Mr. Frost of Milford, House Bill No. 49, An act relating to the industrial school. To the Committee on Industrial School.

By Mr. Etsler of Claremont, House Bill No. 50, An act relating to the penalty for aggravated assaults. To the Committee on Judiciary.

By Mr. Caron of Manchester, House Bill No. 51, An act relating to hours of labor for women. To the Committee on Labor.

By Mr. Olson of Keene, House Bill No. 52, An act establishing a Board of Registration of Hairdressers and regulating the occupation of hairdressing. To the Committee on Judiciary.

On motion of Mr. Callahan of Keene the clerk was directed to procure 500 extra copies of the above bill.

By Mr. Pillsbury of Derry, House Bill No. 53, An act relating to legacy receipts. To the Committee on Revision of the Statutes.

By Mr. Tierney of Weare, House Joint Resolution No. 19, Joint resolution for the completion of the Weare road so called, in the town of Dunbarton. To the Committee on Public Improvements.

By Mr. Day of Chatham, House Joint Resolution No. 20, Joint resolution relating to the improvement of Robin Hill road in the town of Chatham. To the Committee on Public Improvements.

By Mr. Parkhurst of Columbia, House Joint Resolution No. 21, Joint resolution in favor of Albert St. Peter and Gladys S. Peter. To the Committee on Claims.

By Mr. Relihan of Walpole, House Joint Resolution No. 22, Joint resolution for the improvement of a road in the town of Walpole. To the committee on Public Improvements.

By Mr. Cartier of Rochester, House Joint Resolution

No. 23, Joint resolution for the construction and completion of the Old Dover road, so-called, in the cities of Rochester, Dover and Somersworth. To the Committee on Public Improvements.

By Mr. Blanchard of Farmington, House Joint Resolution No. 24, Joint resolution for the completion of the road in Farmington leading to the Milton line, known as Elm St. To the Committee on Public Improvements.

SPECIAL ORDER

Mr. Molloy of Nashua called for the special order House bill No. 30, An act relating to the building and maintenance of state roads and highways by the state highway department.

The question being

Shall the bill be referred to a committee.

On motion of Mr. Molloy the special order was vacated and the bill referred to the Committee on Public Improvements.

On motion of Mr. Hunter of Hanover at 11:45 o'clock the House took a recess till 1:50 o'clock.

AFTER RECESS

The House was called to order.

The following bills and joint resolutions were severally introduced, read a first and second time and laid upon the table to be printed and referred as follows:

By Mr. Butterfield of Concord, House Bill No. 54, An act relating to the licensing of cold storage warehouses. To the Committee on Revision of the Statutes.

By Mr. Bailey of Haverhill, House Bill No. 55, An act defining the word "employer" as used in the laws relative to unemployment compensation. To the Committee on Labor.

By Mr. Barrett of Portsmouth, House Bill No. 56, An act pertaining to the sale of beverages on election days

after the polls are closed. To the Committee on Liquor Laws.

By Mr. Dagan of Auburn, House Joint Resolution No. 25, Joint Resolution for the improvement of a road in the town of Auburn. To the Committee on Public Improvements.

Representative Arthur Olson of Keene having qualified before his Excellency the Governor appeared and took his seat as a member of the House.

On motion of Mr. Sanborn of Wakefield at 2:05 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Callahan of Keene at 2:06 o'clock the House adjourned.

WEDNESDAY, JANUARY 20, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Jones of Monroe was granted leave of absence for the rest of the week on account of important business.

COMMITTEE REPORT

Mr. Hoyt of Sandwich for the Committee on Elections to whom was referred the petition of Eula H. Buckley of Dover praying for a seat in the House reported the same with the statement that the vote was a tie, and recommended that Eula H. Buckley be given a seat in the House.

The report was accepted.

The undersigned, a minority of the Committee on

Elections to whom was referred the petition of Eula H. Buckley of Dover praying for a seat in the House reported the same with the statement that Harold F. Blaisdell having received the majority of one vote be given a seat in the House.

EDWARD F. BOUTHIETTE,
ALDEGE A. NOEL,
ALBERT G. PALMER,
ESTHER C. BIXBY,
A minority of the Committee.

Mr. Ahern of Concord moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the petition and reports be laid upon the table and made a special order for Tuesday, January 26, at 11:01 o'clock.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Jordan of Errol, House Bill No. 57, An act relating to the keeping of animals wild by nature in captivity. To the Committee on Fisheries and Game.

By Mr. Davis of Ashland, House Bill No. 58, An act relating to the taking of fox. To the Committee on Fisheries and Game.

By Mr. Churchill of Brookfield, House Bill No. 59, An act relating to permits for entries to private cemeteries. To the Committee on Revision of the Statutes.

By Mr. Graham of Canaan, House Bill No. 60, An act relating to hours of labor. To the Committee on Labor.

By Mr. Ball of Hopkinton, House Bill No. 61, An act relating to transfer credits for motor vehicle permit fees. To the Committee on Revision of the Statutes.

By Mr. Berry of Rochester, House Joint Resolution No.

26, Joint resolution in favor of E. L. Wentworth of Rochester. To the Committee on Claims.

By Mr. Berry of Rochester, House Joint Resolution No. 27, Joint resolution in favor of E. L. Wentworth of Rochester. To the Committee on Claims.

By Mr. Cheever of Wilton, House Joint Resolution No. 28, Joint resolution for the improvement of a road in the town of Wilton connecting the South Side highway and the Greenfield road. To the Committee on Public Improvements.

By Mr. Churchill of Brookfield, House Joint Resolution No. 29, Joint resolution for the improvement of the Wolfeboro to Union road in the town of Brookfield. To the Committee on Public Improvements.

By Mr. Cartier of Rochester, House Joint Resolution No. 30, Joint resolution relating to the calling of a constitutional convention. To the Committee on Judiciary.

By Mr. Sheehan of Claremont, House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont. To the Committee on Claims.

By Mr. Merrill of Loudon, House Joint Resolution No. 32, Joint resolution for the improvement of the Old Stage Line, so called, leading from Loudon to Kelley's corner in Lower Gilmanton. To the Committee on Public Improvements.

RESOLUTION

On motion of Mr. Tilton of Ward 4, Laconia,—

Resolved, That the Speaker of the House of Representatives be and hereby is directed to obtain from the honorable justices of the Supreme Court their opinion upon the following question:

Do the provisions of House Bill No. 41, An act for the prevention of increased unemployment and resulting pauperism and for the creation of employment by extending limited state assistance to industries, copy of which is an-

nexed hereto and made a part of this resolution, violate any of the provisions of our state constitution?

BILLS INTRODUCED

By Mr. Ahern of Concord, House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name. To the committee on Judiciary.

By Mr. Soucy of Manchester, House Bill No. 63, An act relative to recount of ballots after an election. To the Committee on Revision of the Statutes.

RESOLUTION

Mr. Grimes of Dover offered the following resolution:

WHEREAS, The House has learned with deep regret of the death of Captain Edward Smith of Dover, Assistant Warden of the Cloakroom,

RESOLVED, That a committee of three be appointed to prepare suitable resolutions.

On *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee, Messrs McCooey of Dover, Lucas of Dover, and Grimes of Dover.

The House was at ease.

The House was called to order.

BILLS AND JOINT RESOLUTIONS INTRODUCED

By Mr. Hoyt of Sandwich, House Bill No. 64, An act relating to fish in private ponds. To the Committee on Fisheries and Game.

By Mr. Brunelle of Haverhill, House Bill No. 65, An act to license games of skill. To the Committee on Judiciary.

By Mr. Grimes of Dover, House Bill No. 66, An act re-

lating to the motor vehicles road toll. To the Committee on Revision of the Statutes.

By Mrs. Brungot of Berlin, House Bill No. 67, An act relating to fish and game licenses for married women. To the Committee on Fisheries and Game.

By Mr. Sanborn of Wakefield, House Joint Resolution No. 33, Joint Resolution for the improvement of the main road leading from Effingham Falls to South Effingham to the state of Maine line at Parsonsfield. To the Committee on Public Improvements.

By Mr. Danforth of Acworth, House Joint Resolution No. 34, Joint resolution for the improvement and completion of the state road from Acworth to the Charlestown-Claremont highway. To the Committee on Public Improvements.

By Mr. Havican of Brentwood, House Joint Resolution No. 35, Joint resolution for the completion of the Kingston road, in the town of Brentwood, leading from Epping to Kingston town line. To the Committee on Public Improvements.

By Mr. Estabrook of Alstead, House Joint Resolution No. 36, Joint resolution for the completion of the Forrest road, so called, in the town of Marlow. To the Committee on Public Improvements.

By Mr. Boutwell of Concord, House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds. To the Committee on Public Improvements.

By Mr. Walbridge of Enfield, House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936. To the Committee on Judiciary.

By Mr. Brunelle of Haverhill, House Bill No. 69, An act relating to fur-bearing animals. To the Committee on Fisheries and Game.

RESOLUTION

On motion of Mr. Barnard of Manchester,

Resolved: That the rules of the House be so far amended that the Committee on Revision of the Statutes consist of 23 members.

On motion of Mr. Grimes of Dover at 11:55 o'clock the House was at recess till 1:50 o'clock.

After recess.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following Bills and Joint Resolutions were severally introduced read a first and second time, and laid upon the table to be printed and referred as follows:

By Mr. Grimes of Dover, House Bill No. 70, An act relating to the powers of the street commissioner of the city of Dover.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Grimes of Dover the rules were suspended and the bill referred to a special Committee consisting of the delegation of the City of Dover.

By Mrs. Bixby of Berlin, House Bill No. 71, An act relating to the sale of liquor. To the Committee on Liquor Laws.

By Mr. Adams of Belmont, House Joint Resolution No. 38, Joint resolution for the improvement of the Province road in the town of Gilmanton. To the Committee on Public Improvements.

By Mr. Colby of Rochester, House Joint Resolution No. 39, Joint resolution for the improvement of the Salmon Falls road, so called, in the city of Rochester. To the Committee on Public Improvements.

ORDER VACATED

On motion of Mr. Etsler of Claremont, the order whereby House Bill No. 7, An act establishing a commission to

raise additional revenue for cities and towns, was referred to the Committee on Judiciary was vacated, and the bill referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 18, an Act amending the charter of Manchester Turnverein and Gymnastical School.

SENATE BILL READ

Senate Bill No. 18, An act amending the charter of Manchester Turnverein and Gymnastical School.

The bill was read a first and second time.

Mr. Barnard of Manchester moved that the rules be suspended and the printing of the bill and its reference to a Committee dispensed with, and the bill made in order for a third reading at the present time.

The question being on the motion of Mr. Barnard.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Hart of Wolfeboro at 2:25 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Callahan of Keene at 2:26 o'clock the House adjourned.

THURSDAY, JANUARY 21, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Rev. Clarence B. Etsler of Claremont.

The following letter was read by the clerk:

Concord, N. H., January 21, 1937

Honorable George D. Cummings,
Peterborough, New Hampshire.

Dear Sir:

I shall be unable to attend the session on Thursday. Will you kindly preside for me and oblige,

Yours respectfully,

OREN V. HENDERSON, Speaker.

LEAVES OF ABSENCE

Mr. Cormier of Nashua was granted leave of absence for the day on account of attending a funeral.

Mr. Hamilton of Lisbon was granted leave of absence for the day on account of illness.

Mr. Smith of Haverhill was granted leave of absence for the day on account of important business.

RESOLUTIONS

On motion of Mr. Ahern of Concord.

Resolved, that the rules be suspended and the time limit for the introduction of bills and joint resolutions be extended to adjournment on February 2, 1937.

Resolved, that when the House adjourns this morning it will be to meet tomorrow morning at 9:00 o'clock, and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORT

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Seymour of Carroll, House Bill No. 72, An act relating to fire escapes. To the Committee on Revision of the Statutes.

By Mr. Hoyt of Sandwich, House Bill No. 73, An act relating to poll taxes. To the Committee on Ways and Means.

By Mr. Goodwin of Bethlehem, House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District. To the Committee on Revision of the Statutes.

By Mr. Seavey of Rochester, House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes. To the Committee on Ways and Means.

By Mr. Ahern of Concord, House Bill No. 76, An act to provide for the examination and for the use of voting machines at elections. To the Committee on Judiciary.

By Mr. Chase of Manchester, House Bill No. 77, An act regarding lien on real estate. To the Committee on Judiciary.

By Mr. Chase of Manchester, House Bill No. 78, An act relating to alimony. To the Committee on Revision of the Statutes.

By Mr. Barnard of Manchester, House Bill No. 79, An

act to close Lake Massasecum in the town of Bradford to ice fishing To the Committee on Fisheries and Game.

By Mr. Barnard of Manchester, House Bill No. 80, An act to regulate the practice of general contracting. To the Committee on Judiciary.

By Mr. Fernald of Nottingham, House Joint Resolution No. 40, Joint resolution for the improvement of the road leading from Nottingham Center to the Raymond town line in the town of Nottingham. To the Committee on Public Improvements.

By Mr. Rollins of Alton, House Joint Resolution No. 41, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton in the town of Alton. To the Committee on Public Improvements.

By Mr. Brunelle of Haverhill, House Joint Resolution No. 42, Joint resolution for the improvement of the Benton road leading from the Center Haverhill meeting house to the Benton town line in the town of Haverhill. To the Committee on Public Improvements.

By Mr. Fuller of Stewartstown, House Joint Resolution No. 43, Joint resolution for the improvement of a road in Stewartstown. To the Committee on Jublic Improvements.

By Mr. Caldwell of Lee, House Joint Resolution No. 44, Joint resolution for the improvement of the Old Mast road in the town of Lee. To the Committee on Public Improvements.

By Mr. Butterfield of Windham, House Joint Resolution No. 45, Joint resolution for the improvement of a road in Windham. To the Committee on Public Improvements.

By Mr. Cummings of Lyndeborough, House Joint Resolution No. 46, Joint resolution for the improvement of a road in the town of Lyndeborough. To the Committee on Public Improvements.

By Mr. Hoyt of Sandwich, House Joint Resolution No. 47, Joint resolution for completion of state highway around Squam lake in the towns of Sandwich and Holderness. To the Committee on Public Improvements.

By Mr. Whitehouse of Middleton, House Joint Resolution No. 48, Joint resolution for improvement of Wolfeboro road, so-called, in the town of Middleton. To the Committee on Public Improvements.

By Mr. Tuttle of Atkinson, House Joint Resolution No. 49, Joint resolution for the completion of the Conley road in the town of Atkinson. To the Committee on Public Improvements.

By Mr. Snodgrass of Berlin, House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

The joint resolution was read a first and second time and laid upon the table to be printed.

On motion of Mr. Tilton of Ward 4, Laconia, the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Berlin.

By Mrs. Atwood of Barrington, House Joint Resolution No. 50, Joint resolution for the improvement of a certain road in Barrington leading from Waterhouse Corner to Strafford Bow lake. To the Committee on Public Improvements.

By Mr. O'Shan of Laconia, House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association. To the Committee on Military Affairs.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READING

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam.

On motion of Mr. Ahern of Concord the rules were suspended and the bill read a third time by its title.

The bill was then passed and sent to the Senate for concurrence.

On motion of Mrs. Soper of Littleton at 11:30 o'clock the House adjourned.

FRIDAY, JANUARY 22, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk.

FRIDAY, JANUARY 22, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON, *Speaker.*

There being no quorum present at 9:01 o'clock, the House adjourned.

MONDAY, JANUARY 25, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, January 25, 1937.

Mrs. Hilda C. F. Brungot,
Berlin, N. H.

DEAR MADAM:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Jed B. Jones of Monroe at 7:31 o'clock the House adjourned.

TUESDAY, JANUARY 26, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Goodwin of Bethlehem was granted leave of absence for the day on account of important business.

Mr. Danforth of Acworth was granted leave of absence for Wednesday, January 27, on account of important business.

Mr. Sweeney of Manchester, Ward 11, was granted leave of absence for the week on account of death in the family.

Mr. Molloy of Nashua was granted leave of absence until further notice on account of illness.

COMMITTEE REPORTS

Mr. Normandin of Laconia, for the Committee on Judiciary to whom was referred House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being

Shall the bill be read a third time?

(Discussion ensued)

Messrs. Wadleigh of Milford, Dickinson of Danbury, and Mrs. Brungot of Berlin spoke in favor of the motion. Messrs. Callahan of Keene and McDonough of Dover opposed the motion.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. McDonough of Dover desired to be recorded as voting no.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 20, An act relating to unemployment in the city of Berlin and in the county of Coos, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield for the Committee on Public Health to whom was referred House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game to whom was referred House Bill No. 21, An act relating to the taking of hares and rabbits, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Elections to whom was referred petition of Raoul S. Ramsay of Berlin praying for a seat in the House, reported the same with the recommendation that the prayer of the petitioner be granted.

The report was accepted.

BILLS AND JOINT RESOLUTION INTRODUCED

The following bills and joint resolution were severally introduced, read a first and second time and laid upon the able to be printed and referred as follows:

By Mr. Saltmarsh of Concord, House Bill No. 82, An act to change the ward lines of Ward 8 in Concord and other wards affected by said change.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Ahern of Concord the rules were suspended and the bill referred to a special committee consisting of the delegation from the City of Concord.

By Mr. Lesmerises of Manchester, House Bill No. 83, An act relating to the fees for permits to sell beverages. To the Committee on Liquor Laws.

By Mr. Matson of Concord, House Bill No. 84, An act relating to assignment of counsel. To the Committee on Revision of the Statutes.

By Mr. Stevens of Kingston, House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government. To the Committee on Forestry and Recreation.

By Mr. Whitcher of Whitefield, House Bill No. 86, An act relating to caretakers on recreational areas on state lands. To the Committee on Forestry and Recreation.

By Mr. Whitcher of Whitefield, House Bill No. 87, An act relating to the forest improvement and recreational fund and the development of state forests and reservations. To the Committee on Forestry and Recreation.

By Mr. Mansur of Concord, House Bill No. 88, An act relating to probate receipts from minors. To the Committee on Revision of the Statutes.

By Mr. Wilcox of Nashua, House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations. To the Committee on Revision of the Statutes.

By Mr. Lareau of Manchester, House Bill No. 90, An act relating to instruction given in public schools. To the Committee on Education.

By Mr. Varney of Rochester, House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford. To the Committee on Revision of the Statutes.

By Mr. Varney of Rochester, House Bill No. 92, An act in relation to the city of Rochester establishing a Board of Police Commissioners.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Varney of Rochester the rules were suspended and the bill referred to a special committee consisiting of the delegation from the City of Rochester.

By Mr. Fogg of Milan, House Joint Resolution No. 52, Joint resolution for the improvement of the Milan Hill road in the town of Milan. To the Committee on Public Improvements.

By Mr. Willis of Gorham, House Bill No. 93, An act prohibiting persons within highways from soliciting rides from the operators of vehicles therein. To the Committee on Revision of the Statutes.

By Mr. Dupont of Pembroke, House Bill No. 94, An act relating to license fees for hunting and fishing. To the Committee on Fisheries and Game.

By Mr. Dagan of Auburn, House Bill No. 95, An act relating to the distribution of income from sale of beverages and liquor. To the Committee on Revision of the Statutes.

By Mr. Grimes of Dover, House Bill No. 96, An act to make uniform the transfer of stock. To the Committee on Revision of the Statutes.

PROCLAMATION OF THE GOVERNOR

His Excellency Francis P. Murphy issued the following proclamation:

Days of flood disaster and suffering, so recent in New Hampshire that we are still engaged in the costly work of reconstruction, make us appreciate the significance of the terrible calamities which have fallen upon the people of the Ohio River Valley and the middle western states.

The measure of sympathy we hold for the many inun-

dated communities and the thousands of sufferers who have been driven from their homes may best be manifested through the agency of the American Red Cross which, in this as in all other grave emergencies, has promptly taken the work of relief into its competent hands.

Sympathy and approval of the work of that great organization are not sufficient, however, money constitutes the sinews of relief as it does those of war. To cope effectively with the present situation in Ohio, Pennsylvania, and other states, the Red Cross will require ample funds which it must raise through its local chapters by means of voluntary subscriptions.

To this most deserving undertaking, I give my approval as Governor of the State of New Hampshire, and my support and encouragement as a private citizen. I am happy to be of service to the American Red Cross at this moment by urging the people of New Hampshire to contribute promptly to this cause as liberally as their individual means will permit.

Remembering that less than a year ago we were ourselves sorely in need of just such help and that, in that hour of distress, the good people of other states nobly contributed a great part of the money expended by the American Red Cross in New Hampshire, we should now participate in the work of relieving sufferers elsewhere many of whom undoubtedly contributed to our relief last Spring.

Everyone is requested to give to their local Red Cross Fund.

BILLS INTRODUCED

By Mr. Barnard of Manchester, House Bill No. 97, An act relating to suits against receiptors. To the Committee on Revision of the Statutes.

By Mr. Poulin of Manchester, House Bill No. 98, An act relating to the purity of elections. To the Committee on Revision of the Statutes.

By Mr. Scammon of Exeter, House Bill No. 99, An act

creating a New Hampshire Law Reports Committee. To the Committee on Judiciary.

RESOLUTION RESCINDED

On motion of Mr. Cummings of Peterborough, the resolution extending the time limit for the introduction of bills and joint resolutions to February 2 was rescinded.

Mr. Cummings of Peterborough offered the following resolution:

Resolved, that the rules be so far suspended as to extend time for the introduction of bills and joint resolutions in the House to and including Tuesday, February 2.

Under the rules a vote by division was taken resulting as follows:

Yes 249, No 0.

RESOLUTION

On motion of Mr. Dutil of Berlin:

Resolved, that the mileage of the members of the Legislature be paid every four weeks during the session.

On motion of Mr. Wiley of Concord:

Resolved, that the Clerk of the House be empowered to procure two hundred and fifty additional copies of the Legislative Manual in leather binding for the use of the Secretary of State.

SPECIAL ORDER

Mr. Hoyt of Sandwich called for the special order the petition of Eula H. Buckley of Dover praying for a seat in the House.

The question being:

Shall the report of the minority in favor of seating Harry F. Blaisdell be substituted for the report of the majority in favor of seating Eula H. Buckley.

On motion of Mr. Hoyt of Sandwich the petition was re-committed to the Committee on Elections.

BILLS INTRODUCED

The introduction of bills was resumed.

By Mr. Jones of Lebanon, House Bill No. 100, An act relating to an appeal from decisions of motor vehicle commissioner. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 101, An act relating to penalties for violation of the motor vehicle laws. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 102, An act relating to suspension of motor vehicle licenses. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles. To the Committee on Revision of the Statutes.

RESOLUTION

Mr. Grimes of Dover presented the following resolution on the death of Captain Edward D. Smith of Dover, Assistant Warden of the Cloakroom, House of Representatives:

WHEREAS, The Supreme Ruler of the Universe in his infinite wisdom has called home our friend, Captain Edward D. Smith of Dover, Assistant Warden of the Cloakroom,

BE IT RESOLVED, That we, the members of the New Hampshire House of Representatives attest our appreciation of his devoted service, and

BE IT FURTHER RESOLVED, That we extend to the bereaved family our deepest and most sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

WILLIAM A. GRIMES,
JOHN E. McCOOEY,
ERNEST L. LUCAS,
Committee on Resolutions.

On motion of Mr. Kearns of Manchester at 12:09 o'clock the House took a recess till 2:50 p. m.

AFTER RECESS

The introduction of bills and joint resolutions was resumed.

By Mrs. Brungot of Berlin, House Bill No. 104, An act relative to taking brook trout in certain waters. To the Committee on Fisheries and Game.

By Mr. Dickinson of Danville, House Bill No. 105, An act relating to posting of piece rate prices. To the Committee on Revision of the Statutes.

By Mrs. Robertson of Hinsdale, House Bill No. 106, An act relating to state aid highway numbered 113. To the Committee on Public Improvements.

By Mr. Wylie of Concord, House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home. To the Committee on Revision of the Statutes.

Read a first and second time.

On motion of Mr. Wylie of Concord the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

By Mrs. Bixby of Berlin, House Bill No. 108, An act imposing an additional tax on liquor. To the Committee on Ways and Means.

By Mrs. Bixby of Berlin, House Bill No. 109, An act providing for special on-sale permits for the sale of alcoholic beverages for the summer months. To the Committee on Liquor Laws.

By Mr. Smith of Hudson, House Joint Resolution No. 53, Joint resolution in favor of Archie LeBoeuf. To the Committee on Claims.

On motion of Mr. Ahern of Concord at 3:01 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Pillsbury of Derry the rules were suspended and the third reading of bills by their titles made in order.

THIRD READINGS

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the county of Coos.

Read a third time.

The question being:

Shall the bill pass?

(Discussion ensued)

Messrs. Etsler of Claremont, and Wadleigh of Milford speaking for the bill and Messrs. McDonough of Dover, and Callahan of Keene, speaking against the bill.

Mr. Callahan of Keene moved that the bill be put back on its second reading and recommitted to the Committee on the Judiciary for a further hearing.

On a *viva voce* vote the motion did not prevail.

Mr. Callahan of Keene called for a division.

A division being taken, 77 members voting in the affirmative and 166 members voting in the negative, and the motion did not prevail.

The question being:

Shall the bill pass?

(Discussion ensued)

Messrs. Dickinson of Danbury and Sanborn of Wakefield spoke in favor of the bill. Mr. McDonough of Dover spoke against the bill.

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Saltmarsh of Concord at 3:30 o'clock the House adjourned.

WEDNESDAY, JANUARY 27, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Normandin of Laconia and Wardell of Keene were granted leave of absence for the day on account of illness.

Mr. Granger of Swanzey was granted leave of absence for Thursday, January 28, on account of important business.

Messrs. Gates of Keene and Barnard of Nashua were granted leave of absence until further notice on account of illness.

COMMITTEE REPORTS

Mr. McReel of Exeter, for the Committee on Revision of the Statutes to whom was referred House Bill No. 4, An act relating to divorce, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter for the Committee on Revision of the Statutes to whom was referred House Bill No. 26, An act relating to bulky article attachments, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced read a first and second time and laid upon the table to be printed and referred as follows:

By Mr. Putnam of Antrim, House Bill No. 110, An act legalizing the November election in the town of Stoddard. To the Committee on Judiciary.

By Mr. Perkins of Holderness, House Bill No. 111, An act relating to guides. To the Committee on Fisheries and Game.

By Mr. Perkins of Holderness, House Bill No. 112, An act relating to taking of salmon and lake trout. To the Committee on Fisheries and Game.

By Mr. Lufkin of Orford, House Bill No. 113, An act relating to the bridge between Orford and Fairlee, Vt. To the Committee on Public Improvements.

By Mr. Lacroix of Manchester, House Bill No. 114, An act relating to the taking of pickerel. To the Committee on Fisheries and Game.

By Mr. Frost of Milford, House Bill No. 115, An act relating to permits for the registration of motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Corliss of New Boston, House Bill No. 116, An act relating to defrosters on automobiles. To the Committee on Revision of the Statutes.

By Mr. Dickinson of Rochester, House Bill No. 117, An act relating to hours of labor for women and minors. To the Committee on Labor.

By Mr. Dickinson of Danville, House Joint Resolution No. 54, Joint resolution for the improvement of the Sandown road, in the town of Danville. To the Committee on Public Improvements.

By Mr. Stearns of Hancock, House Joint Resolution No. 55, Joint resolution for the completion of the Forest road, so called, in the towns of Hancock, Antrim, Nelson and Stoddard. To the Committee on Public Improvements.

By Mr. Fecteau of Epping, House Joint Resolution No. 56, Joint resolution for the improvement of the road leading off North Epping road to Hedding camp ground and the Newfields town line. To the Committee on Public Improvements.

By Mrs. Brungot of Berlin, House Joint Resolution No. 57, Joint resolution in favor of Archie Drouin. To the Committee on Claims.

By Mr. Munroe of Andover, House Bill No. 118, An act relating to pickerel. To the Committee on Fisheries and Game.

By Mr. Johnson of Northumberland, House Bill No. 119, An act relating to treatment of paupers by any licensed practitioner. To the Committee on Judiciary.

By Mr. Molloy of Nashua, House Bill No. 120, An act to prohibit motor vehicle racing on public ways. To the Committee on Revision of the Statutes.

By Mr. Winslow of Chesterfield, House Bill No. 121, An act relating to sending of presidential check lists to state library. To the Committee on Revision of the Statutes.

By Mr. Molloy of Nashua, House Bill No. 122, An act relating to the sale of pistols and revolvers. To the Committee on Revision of the Statutes.

By Mr. Bailey of Lyme, House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage. To the Committee on Appropriations.

By Mr. Tenney of Chester, House Joint Resolution No. 59, Joint resolution for the completion of a road in Chester. To the Committee on Public Improvements.

By Mr. Barnard of Manchester, House Bill No. 123, An act relating to licenses for bonded warehouses. To the Committee on Revision of the Statutes.

By Mr. Wadleigh of Milford, House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities. To the Committee on Insurance.

By Mr. Smith of Hudson, House Bill No. 125, An act relating to appraisal of taxable property. To the Committee on Revision of the Statutes.

By Mr. Conlon of Concord, House Bill No. 126, An act to fix the legal height or level of certain bodies of water of the state. To the Committee on Judiciary.

By Mr. Frost of Milford, House Bill No. 127, An act relating to permits for the registration of motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Sawyer of Woodstock, House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line. To the Committee on Appropriations.

By Mr. Rogers of Plainfield, House Joint Resolution No. 60, Joint resolution relating to indemnity for diseased bovine animals. To the Committee on Agriculture.

By Mr. Ahern of Concord, House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner. To the Committee on Judiciary.

By Mr. Desruisseaux of Manchester, House Bill No. 129, An act relating to the sale of wines by restaurants. To the Committee on Liquor Laws.

By Mr. Hoyt of Sandwich, House Bill No. 130, An act relating to brook trout. To the Committee on Fisheries and Game.

By Mr. Graham of Canaan, House Bill No. 131, An act relative to brakes on trailers. To the Committee on Revision of the Statutes.

By Mr. Cartier of Rochester, House Bill No. 132, An act relating to taxation of personal income. To the Committee on Ways and Means.

CONCURRENT RESOLUTION

For the Observance of Lincoln's Birthday, February 12, 1937.

Resolved by the Senate and House of Representatives in General Court convened:

That the House of Representatives and the Senate of New Hampshire at the request of the Sesquicentennial Commission for the State of New Hampshire, in joint convention make observance of Lincoln's Birthday under date of February 11, 1937: that at that time the Legislature act as host to the Sesquicentennial Commission for the State of New Hampshire, the Executive Department and general public to properly observe the birthday, and the contribution of New Hampshire in the adoption and maintenance of the Federal Constitution of the United States of America, and that the Speaker of the House and the President of the Senate be authorized to arrange for a suitable address.

ORDERS VACATED

On motion of Mr. Barnard of Manchester:

Resolved, That the order whereby the following House bills:

House Bill No. 38, an act relating to the expiration date of motor vehicle registrations, municipal permits and licenses for motor vehicles.

House Bill No. 43, An act relating to foreign motor vehicles used solely for pleasure.

House Bill No. 61, An act relating to transfer credits for motor vehicle permits.

House Bill No. 66, An act relating to the motor vehicle road toll.

House Bill No. 95, An act relating to distribution of income from sale of beverages and liquor.

Were referred to the Committee on Revision of the Statutes be vacated, and the bills referred to the Committee on Ways and Means.

RESOLUTIONS

On motion of Mr. Etsler of Claremont:

Whereas, This House has learned with sorrow and regret of the death of Miss Mabel Dooley, Judiciary Committee stenographer, therefore,

Be It Resolved, That the Speaker appoint a committee of five to prepare suitable resolutions, and be it further

Resolved, That when the House adjourns today that it be a tribute to the memory of Miss Mabel Dooley.

The Speaker appointed as members of such committee Mrs. Brungot of Berlin, Mrs. Cooper of Nashua, Mr. Stearns of Hancock, Mr. Ahern of Concord, and Mr. Duffy of Keene.

Mr. Avery of Goffstown offered the following resolution:

Whereas, This House has been aware of the continued illness since election of R. Robert Matheson of Goffstown, a member of the House, therefore

Be It Resolved, That the House extend its heartfelt sympathy to its brother member and its best wishes for a speedy recovery, and be it further

Resolved, That the Clerk be instructed to forward a copy of these resolutions to Mr. Matheson.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Sanderson of Pittsfield at 11:45 o'clock the House took a recess until 2:55 o'clock.

AFTER RECESS

Introduction of bills and joint resolutions was resumed.

By Mr. King of Walpole, House Bill No. 133, An act relative to the taxation on cigarettes. To the Committee on Ways and Means.

By Mr. Frost of Milford, House Bill No. 134, An act relating to the salary of the deputy register of probate in Hillsborough county. To the Committee on Towns and Counties.

By Mr. King of Walpole, House Bill No. 135, An act prohibiting compulsory vaccination and innoculation. To the Committee on Public Health.

By Mr. Rice of Rindge, House Joint Resolution No. 62, Joint resolution for the completion, equipment and furnishing of the infirmary building of Laconia State School. To the Committee on Laconia State School.

By Mr. Lewis of Littleton, House Joint Resolution No. 63, Joint resolution for the completion of the Monroe road in the town of Littleton. To the Committee on Public Improvements.

By Mr. Cram of Unity, House Joint Resolution No. 64, Joint resolution for the completion of the unimproved portion of the Second N. H. turnpike between Unity Center and Sullivan County Farm Corner. To the Committee on Public Improvements.

By Mr. Callahan of Keene, House Bill No. 136, An act to provide for the reimbursement to counties, cities and towns. To the Committee on Ways and Means.

By Mr. Betley of Manchester, House Bill No. 137, An act relating to certificates of approval. To the Committee on Revision of the Statutes.

By Mr. Betley of Manchester, House Bill No. 138, An act relating to salaries and compensation of officials and employees of business corporations and secret payments received by the same. To the Committee on Judiciary.

ORDER VACATED

On motion of Mr. Lewis of Littleton the order whereby House Bill No. 83, An act relating to the fees for permits to sell beverages was referred to the Committee on Liquor Laws was vacated and the bill referred to the Committee on Ways and Means.

On motion of Mr. Perkins of Pittsfield at 3:05 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 4, An act relating to divorce.

House Bill No. 26, An act relating to bulky articles attachments.

Severally read a third time and passed and sent to the Senate for concurrence.

QUALIFIED

Representative Raoul S. Ramsey having qualified before His Excellency, the Governor, appeared and took his seat as a member of the House.

APPOINTMENTS

The Speaker announced the transfer of Mr. Booth of Manchester from the Committee on Ways and Means to the Committee on Appropriations, and Mr. Sullivan of Ward 6 of Manchester from the Committee on Appropriation to the Committee on Ways and Means.

On motion of Mr. Etsler of Claremont at 3:30 o'clock the House adjourned.

THURSDAY, JANUARY 28, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Normandin of Laconia was granted leave of absence for the day on account of illness.

Mr. O'Brien of Manchester was granted leave of absence for the day on account of important business.

RESOLUTIONS

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns this morning it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 p. m.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 18, An act amending the charter of Manchester Turnverein and Gymnastical School.

The report was accepted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 58, An act relating to the taking of fox, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. Amend section 2 of chapter 200 as amended by section 4 of chapter 124 of the Laws of 1925, by striking out the whole of said section and inserting in its place the following:

2. *Fox.* Fox may be taken and possessed with the aid or by the use of a dog and gun from September 1 to March 1 and by the use of traps from November 1 to March 1.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 14, An act relating to investments of guardians, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on the Judiciary, to whom was referred House Bill No. 18, An act relating to emergency public works, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 50, An act relating to the penalty for aggravated assaults, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out the words "two hundred" in the sixth line, and inserting in place thereof the words "five hundred" so that said bill as amended shall read as follows:

23. *Aggravated Assaults.* If the offense is of an aggravated nature, the offender shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 37, A Joint resolution appropriating money to rehabilitate the highway funds, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 74,

An act relating to the date of the annual meeting of the Bethlehem Village District, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Ways and Means, to whom was referred House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Daly of Claremont, House Bill No. 139, An act relating to capital punishment. To the Committee on Judiciary.

By Mrs. Mason of Berlin, House Bill No. 140, An act prohibiting the exportation of electric power generated in the state. To the Committee on Judiciary.

By Mr. Sawyer of Jaffrey, House Bill No. 141, An act relating to voting residence. To the Committee on Revision of the Statutes.

By Mr. Willis of Gorham, House Bill No. 142, An act relating to daylight saving time. To the Committee on Revision of the Statutes.

By Mr. Olson of Keene, House Bill No. 143, An act relating to leasing bed of Caldwell pond. To the Committee on Judiciary.

By Mr. Rogers of Plainfield, House Bill No. 144, An act relating to the inspection of nurseries and nursery stock. To the Committee on Agriculture.

By Mr. Garland of Dover, House Bill No. 145, An act

to create a board of public works for the city of Dover and to define their duties and other matters.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Garland of Dover the rules were suspended and the bill referred to a special committee consisting of the Delegation from the City of Dover.

By Mr. Butterfield of Windham, House Bill No. 146, An act closing Corbett's pond in Windham to ice fishing. To the Committee on Fisheries and Game.

By Mrs. Dugas of Berlin, House Bill No. 147, An act relating to firecrackers. To the Committee on Revision of the Statutes.

By Mr. Taylor of Rumney, House Bill No. 148, An act relating to ice fishing in Lake Tarleton in Piermont and Warren. To the Committee on Fisheries and Game.

By Mr. Caron of Manchester, House Bill No. 149, An act imposing an additional fee for wholesalers' permits issued under chapter 99, Laws of 1933. To the Committee on Ways and Means.

By Mr. Mudge of Northwood, House Bill No. 150, An act closing Northwood lake in the town of Northwood to ice-fishing. To the Committee on Fisheries and Game.

By Mr. Caron of Manchester, House Bill No. 151, An act relating to certificates of approval. To the Committee on Ways and Means.

By Mr. Caron of Manchester, House Bill No. 152, An act relating to Pari Mutuel pools. To the Committee on Ways and Means.

By Mr. Caron of Manchester, House Bill No. 153, An act relating to the tax on Pari Mutuel pools. To the Committee on Ways and Means.

By Mr. Smith of Haverhill, House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment. To the Committee on Revision of the Statutes.

By Mr. Corliss of New Boston, House Bill No. 155, An act to dissolve the New Boston Railroad Company. To the Committee on Judiciary.

By Mr. Ahern of Concord, House Bill No. 156, An act relating to limited partnerships.

By Mr. Tierney of Weare, House Bill No. 157, An act relating to waters closed to fishing. To the Committee on Fisheries and Game.

By Mr. Jenkins of New Durham, House Joint Resolution No. 65, Joint resolution for the completion of the Merrymeeting Lake road from route 11 to Merrymeeting lake. To the Committee on Public Improvements.

By Mr. Lovely of New London, House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen. To the Committee on Claims.

By Mr. Smith of Hudson, House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson. To the Committee on Appropriations.

By Mr. Johnson of Manchester, House Joint Resolution No. 68, Joint resolution to reimburse Herbert C. Trenoweth for damages to his car occasioned at the time it was stolen by paroled prisoners. To the Committee on Claims.

By Mr. Osborne of Sunapee, House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others. To the Committee on Appropriations.

By Mr. Bailey of Bath, House Joint Resolution No. 70, Joint resolution for the improvement of the so-called Monroe road in the town of Bath. To the Committee on Public Improvements.

By Mrs. Brungot of Berlin, House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin. To the Committee on Claims.

By Mr. Reynolds of Greenfield, House Bill No. 158, An act opening Sunset lake in Greenfield to ice fishing. To the Committee on Fisheries and Game.

By Mr. Adams of Seabrook, House Bill No. 159, An act to close the Cockermouth river to fishing. To the Committee on Fisheries and Game.

By Mrs. Dondero of Portsmouth, House Bill No. 160, An act relating to the application of the minimum wage act. To the Committee on Revision of the Statutes.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 32, An act authorizing the Newport school district to issue serial notes or bonds.

SENATE BILL READ AND REFERRED

Senate Bill No. 32, An act authorizing the Newport school district to issue serial notes or bonds.

The bill was read a first and second time.

On motion of Mr. Cummings of Newport the rules were suspended the referrence of the bill to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and sent to the Secretary of State to be engrossed.

RESOLUTIONS

On motion of Mr. Hoyt of Sandwich,

Resolved, That Mr. Putnam of Antrim be allowed the use of this room, Tuesday evening, February 16, for the purpose of entertaining the members and friends of this

Legislature with a lecture, "Picturesque New Hampshire," illustrated with slides by direct color photography.

On motion of Mr. McDonough of Dover,

Be It Resolved by the House of Representatives, that the salary of its members be so divided that any member may receive one-quarter (¼) of his or her salary monthly, for the first three months, the balance to be paid at the adjournment of the session.

On motion of Mr. Etsler of Claremont business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 14, An act relating to investments of guardians.

House Bill No. 18, An act relating to emergency public works.

House Bill No. 50, An act relating to the penalty for aggravated assaults.

House Bill No. 58, An act relating to the taking of fox.

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Callahan of Keene at 12:00 o'clock the House adjourned.

FRIDAY, JANUARY 29, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

FRIDAY, January 29, 1937.

Mr. George H. Nash
Concord, N. H.

Dear Sir:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Your respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Condon of Concord at 9:01 o'clock the House adjourned.

MONDAY, FEBRUARY 1, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Monday, February 1, 1937.

Mr. Harry A. Goodwin
Bethlehem, N. H.

Dear Sir:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Seymour of Carroll at 7:31 o'clock the House adjourned.

TUESDAY, FEBRUARY 2, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Cantin of Laconia, Etsler of Claremont and Collins of Wolfeboro were granted leaves of absence for the day on account of important business.

Mr. Kimball of Manchester was granted a leave of absence for the day on account of illness.

Messrs. Tuttle of Tamworth, Saltmarsh of Concord and Hutchins of Charlestown were granted leaves of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 32, An act authorizing the Newport School District to issue serial notes or bonds.

The report was accepted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter for the Committee on Revision of the Statutes to whom was referred House Bill No. 17, An act relating to investment of town trust funds, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

RESIGNATION

The following resignation was received:

Concord, January 28, 1937

To Whom It May Concern:

I herewith tender my resignation as a Representative to the General Court of 1937 from the town of Lebanon, having accepted an appointment under the Federal Government.

Very truly yours,
Edward M. Ashey

On a *viva voce* vote the resignation was accepted.

OPINION OF SUPREME COURT

The following opinion as to the constitutionality of House Bill No. 41, An act for the prevention of increased unemployment and resulting pauperism and for the creation of employment by extending limited state assistance to industries, was received from the Supreme Court.

To Honorable Oren V. Henderson, Speaker of the House of Representatives:

The undersigned Justices of the Supreme Court have received your request for our opinion upon the constitutionality of House Bill No. 41.

In response, it is our opinion that the bill, while designed to accomplish a proper public purpose, seeks to effect it through means and methods which the constitution forbids.

The reasons for this opinion are fully set forth in our opinion given this day to the Governor and Council relative to Laws 1935, *c.* 121, and to that opinion we would respectfully refer you.

The adoption of these prohibited means and methods is demanded as an integral and inherent feature of the bill,

and we therefore are unable to perceive any validity for any part of it.

JOHN E. ALLEN,
THOMAS L. MARBLE,
ALVIN W. DANIELS,
PETER WOODBURY,
ELWIN L. PAGE.

February 2, 1937.

RESOLUTIONS

On motion of Mr. Stearns of Hancock:

Resolved, that the rules of the House be so far amended that the representation of this House on the Joint Committee on State House and State House Yard consist of eight members.

ORDER VACATED

On motion of Mr. Barnard of Manchester:

Resolved, that the order whereby House Bill No. 137, An act relating to certificates of approval was referred to the Committee on Revision of the Statutes be vacated and the bill referred to the Committee on Ways and Means.

RESOLUTIONS

Mr. Hilton of Keene offered the following resolution:

WHEREAS, This House has learned with sorrow and regret of the death of Mr. Clarence A. Wardwell, a member of this House, therefore,

BE IT RESOLVED, That the Speaker appoint a committee of five to prepare suitable resolutions, and be it further

RESOLVED, That when the House adjourns today that it be a tribute to the memory of Mr. Clarence A. Wardwell.

The resolutions were adopted by a rising vote. The Speaker appointed as members of such committee, Messrs. Spaulding, Knowlton, Jones, and Roche of Keene, and Estabrook of Alstead.

ORDER VACATED

On motion of Mr. Kelley of Newport:

Resolved, that the order whereby House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing was referred to the Committee on Judiciary be vacated, and the bill be referred to the Committee on Public Health.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Tilton of Laconia, House Bill No. 161, An act relating to a retirement system for New Hampshire teachers. To the Committee on Education.

By Mr. Tilton of Laconia, House Bill No. 162, An act to provide for the purification of the waters of Lake Winnisquam. To the Committee on Public Health.

By Mr. Tilton of Laconia, House Bill No. 163, An act relating to vacancies in county offices. To Committee on Judiciary.

By Mr. Sturtevant of Concord, House Bill No. 164, An act relating to operation of motor vehicles in this state by non-residents. To the Committee on Ways and Means.

By Mr. Dickinson of Rochester, House Bill No. 165, An act relating to the salaries of state officials and employees. To the Committee on Appropriations.

By Mr. Molloy of Nashua, House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua.

On motion of Mr. Wilcox of Nashua the rules were suspended and the bill referred to a special committee consisting of the Delegation from the City of Nashua.

By Mr. Hildebrand of Littleton, House Bill No. 167, An act relating to the taking of fish. To the Committee on Fisheries and Game.

By Mr. Adams of Belmont, House Bill No. 168, An act relating to gambling. To the Committee on Judiciary.

By Mr. Moran of Nashua, House Bill No. 169, An act relating to hawkers and peddlers. To the Committee on Revision of the Statutes.

By Mr. Lougee of Nashua, House Bill No. 170, An act relating to the police commission of the city of Nashua. To the Committee on Judiciary.

Mr. Moran of Nashua moved that the rules be suspended and the bill be referred to a special committee consisting of the Delegation from the City of Nashua.

Question being on the motion of Mr. Moran.

(Discussion ensued)

Messrs. Moran of Nashua, Callahan of Keene, Kearns of Manchester, and Ahern of Concord favored the motion. Messrs. Tilton of Ward 4, Laconia, Winslow of Nashua, and James of Nashua opposed the motion.

Mr. Tilton of Ward 4, Laconia, called for a division.

A division being taken 196 members voted in favor of the motion, and 110 members voted against the motion. Less than two-thirds of the members voting not having voted in favor of the motion the rules were not suspended.

Mr. Cormier of Nashua demanded the ayes and nays but subsequently withdrew his demand.

By Mr. Tilton of Laconia, House Bill No. 171, An act authorizing the city of Laconia to provide pensions for city employees. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 172, An act relative to assistance to aged and dependent persons. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 173, An act relating to the collection of poll tax. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opechee and

Winnisquam and the Winnipesaukee river. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 175, An act relating to reimbursement for loss of taxes on land used for public institutions. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 176, An act regulating the use of ways by fire apparatus and the conduct of persons travelling on said ways. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 177, An act to authorize and empower peace officers of other states of the United States to follow in close pursuit and arrest in New Hampshire persons fleeing into New Hampshire, and to provide for the disposition of such persons after such arrest. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 178, An act relating to homicide. To the Committee on Judiciary.

By Mr. Tuttle of Atkinson, House Bill No. 179, An act relating to the weighing of milk. To the Committee on Agriculture.

By Mr. Tilton of Laconia, House Bill No. 180, An act relating to garage records and records of public parking places. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 181, An act to authorize the city of Laconia to provide pensions for police officers. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 182, An act authorizing the city of Laconia to provide pensions for school teachers. To the Committee on Education.

By Mr. Kimball of Manchester, House Bill No. 183, An act relating to the abduction of minors. To the Committee on Judiciary.

By Mr. DuBois of Swanzey, House Bill No. 184, An act to regulate the keeping of live wild animals. To the Committee on Fisheries and Game.

By Mr. Guay of Laconia, House Bill No. 185, An act

in the interest of public safety. To the Committee on Judiciary.

By Mr. Palmer of Plaistow, House Bill No. 186, An act relative to the powers of the director of the fish and game department. To the Committee on Fisheries and Game.

By Mr. Adams of Seabrook, House Bill No. 187, An act relating to the keeping of animals wild by nature in captivity. To the Committee on Fisheries and Game.

By Mr. Wilcox of Nashua, House Bill No. 188, An act relative to marriage by a party under the age of consent. To the Committee on Revision of the Statutes.

By Mr. Bailey of Lyme, House Bill No. 189, An act limiting "on-sale" beer licenses. To the Committee on Liquor Laws.

By Mr. Abbott of Hudson, House Bill No. 190, An act relative to child identification. To the Committee on Judiciary.

By Mr. Avery of Goffstown, House Bill No. 191, An act relating to the weights of motor vehicles. To the Committee on Transportation.

By Mr. Roche of Keene, House Bill No. 192, An act relating to wages. To the Committee on Labor.

By Mr. Saltmarsh of Concord, House Bill No. 193, An act to limit the car lengths of trains which may be operated upon railroads. To the Committee on Labor.

COMMITTEE APPOINTMENT

Mr. Hilton of Keene was appointed to the Committee on Ways and Means in place of Mr. Wardwell of Keene, deceased.

RESOLUTION

On motion of Mrs. Dondero of Portsmouth:

Resolved, That the members of the Legislature using the toll bridge be allowed, in addition to their regular mileage, passes for the Dover-Portsmouth bridge, which is owned by the state.

On motion of Mr. Hart of Wolfboro at 12:10 o'clock the House took a recess till 2:50.

(After recess)

Introduction of bills and joint resolutions was resumed.

The following bills and joint resolutions were severally introduced, read a first and second time laid upon the table to be printed and referred as follows:

By Mr. Hart of Wolfeboro, House Bill No. 194, An act changing the name of Snake pond in the town of Ossipee. To the Committee on Judiciary.

By Mr. Tuttle of Atkinson, House Bill No. 195, An act relative to weights and measures. To the Committee on Revision of the Statutes.

By Mr. Tuttle of Atkinson, House Bill No. 196, An act relating to the sale of meat, fish, game and fowl. To the Committee on Revision of the Statutes.

By Mr. DuBois of Swanzey, House Bill No. 197, An act regarding cats. To the Committee on Fisheries and Game.

By Mr. Bell of Plymouth, House Bill No. 198, An act relating to the compensation of County Treasurers. To the Committee on Towns and Counties.

By Mr. Barnard of Manchester, House Bill No. 199, An act to prevent undue increase in indebtedness of a corporation without the consent of minority stockholders. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 200, An act to legalize certain investments by trustees. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 201, An act to license architects. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 202, An act to provide for the retirement of common stock of a corporation. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 203, An act relating to the posting of highway regulations for trunk

lines and state-aided highways. To the Committee on Revision of the Statutes.

By Mr. Varney of Rochester, House Bill No. 204, An act to amend the law relating to liability insurance. To the Committee on Insurance.

By Mr. Varney of Rochester, House Bill No. 205, An act relating to foreign insurance companies and their agents. To the Committee on Insurance.

By Mr. Varney of Rochester, House Bill No. 206, An act to amend the law relating to insurance companies and agents. To the Committee on Insurance.

By Mr. Marston of Rye, House Bill No. 207, An act relating to the acquisition of certain coastal land in the town of Rye for recreational purposes. To the Committee on Coastwise Improvements.

By Mr. Perkins of Holderness, House Bill No. 208, An act to regulate pickerel fishing in Massabesic lake in the towns of Manchester and Auburn. To the Committee on Fisheries and Game.

By Mr. Fogg of Milan, House Bill No. 209, An act closing certain waters to smelt fishing. To the Committee on Fisheries and Game.

By Mr. Douphinett of Franklin, House Bill No. 210, An act in amendment of the city charter of Franklin.

On motion of Mr. Douphinett of Franklin the rules were suspended and the bill referred to a special committee consisting of the Delegation from the City of Franklin.

By Mr. Wiggin of Tamworth, House Bill No. 211, An act relating to fly fishing. To the Committee on Fisheries and Game.

By Mr. Corey of Manchester, House Bill No. 212, An act to reopen the tributaries of the Souhegan river to fishing. To the Committee on Fisheries and Game.

By Mr. Sullivan of Manchester, House Bill No. 213, An act relating to an extended use of 1937, 1938 and 1939 number plates on motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Mudgett of Conway, House Bill No. 214, An act relating to the reregistrations and operation of motor vehicles by non-residents. To the Committee on Revision of the Statutes.

By Mr. Lanyon of Hanover, House Bill No. 215, An act to limit the hours of labor. To the Committee on Labor.

By Mr. Lanyon of Hanover, House Bill No. 216, An act providing for one day of rest in seven. To the Committee on Revision of the Statutes.

By Mr. Rose of Portsmouth, House Bill No. 217, An act relative to the inspection of gasoline pumps. To the Committee on Judiciary.

By Mr. Constant of Manchester, House Bill No. 218, An act relating to state officials and employees. To the Committee on Judiciary.

By Mr. Kelly of Newport, House Bill No. 219, An act relating to foreign insurance companies and their agents. To the Committee on Revision of the Statutes.

By Mr. Varney of Rochester, House Bill No. 220, An act relating to the incorporation of insurance companies. To the Committee on Insurance.

By Mr. Kelly of Newport, House Bill No. 221, An act relating to the choice of certain town officers. To the Committee on Revision of the Statutes.

By Mr. Varney of Rochester, House Bill No. 222, An act relating to the insurance commissioner. To the Committee on Insurance.

By Mr. Varney of Rochester, House Bill No. 223, An act relating to the sale of lightning rods. To the Committee on Insurance.

By Mr. Molloy of Nashua, House Bill No. 224, An act relating to the observance of the Lord's Day. To the Committee on Revision of the Statutes.

By Mr. Quint of Conway, House Bill No. 225, An act relating to the length of motor vehicles. To the Committee on Transportation.

By Mr. Remick of Bristol, House Bill No. 226, An act

increasing the bounty on hedgehogs. To the Committee on Fisheries and Game.

By Mr. Nash of Concord, House Bill No. 227, An act to provide for an administration building and for an addition to the infirmary building at the State Hospital. To the Committee on the State Hospital.

By Mr. Hart of Wolfeboro, House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds. To the Committee on Judiciary.

By Mr. Richards of Farmington, House Bill No. 229, An act relative to the suspension or revocation of beverage permits. To the Committee on Liquor Laws.

By Mr. Sanderson of Pittsfield, House Bill No. 230, An act authorizing the creation of housing authorities in cities and towns having a population of more than 10,000 inhabitants. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 231, An act relative to contested elections. To the Committee on Judiciary.

By Mr. Pillsbury of Derry, House Bill No. 232, An act relative to judgment days. To the Committee on Judiciary.

By Mr. Osborne of Sunapee, House Bill No. 233, An act relating to taking aureolus trout. To the Committee on Fisheries and Game.

By Mr. Osborne of Sunapee, House Bill No. 234, An act relative to taking suckers and black bass from Lake Sunapee. To the Committee on Fisheries and Game.

By Mr. Adams of Belmont, House Bill No. 235, An act relating to trolling. To the Committee on Fisheries and Game.

By Mr. Adams of Belmont, House Bill No. 236, An act relating to non-resident hunting, fishing and trapping licenses. To the Committee on Fisheries and Game.

By Mr. Tuttle of Temple, House Bill No. 237, An act relating to damage to fruit trees by protected game. To the Committee on Fisheries and Game.

By Mr. Sanborn of Wakefield, House Bill No. 238, An

act to prevent deceptive merchandising practices, to restrain unfair competition in trade and industry, and to protect fair trade practices in distribution. To the Committee on Judiciary.

By Mrs. Dondero of Portsmouth, House Bill No. 239, An act relating to hours of labor. To the Committee on Labor.

By Mrs. Hoyt of Lebanon, House Bill No. 240, An act relating to transportation of members of the legislature. To the Committee on Mileage.

By Mr. Cryan of Lancaster, House Bill No. 241, An act to compel filtering or elimination by owners or users of all electric appliances causing interference with radio. To the Committee on Judiciary.

By Mr. Fowler of Hill, House Bill No. 242, An act to increase the tax on beer licenses. To the Committee on Ways and Means.

By Mr. Tilton of Laconia, House Bill No. 243, An act relating to criminal appeals. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 244, An act relating to old age assistance. To the Committee on Judiciary.

By Mr. Frost of Milford, House Bill No. 245, An act relating to railroad passenger service. To the Committee on Transportation.

By Mr. Frost of Milford, House Bill No. 246, An act amending the law relating to motor vehicles. To the Committee on Judiciary.

By Mr. Boucher of Somersworth, House Bill No. 247, An act relating to the register of deeds for Strafford county.

On motion of Mr. Boucher of Somersworth the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Strafford.

By Mr. Normandin of Laconia, House Bill No. 248, An act relative to commitment to the State Hospital. To the Committee on Revision of the Statutes.

By Mrs. Dondero of Portsmouth, House Bill No. 249,

An act in relation to jurors. To the Committee on Judiciary.

By Mr. Avery of Goffstown, House Bill No. 250, An act relating to the abatement of certain nuisances caused by unnecessary noises. To the Committee on Judiciary.

By Mr. Perkins of Hampton, House Bill No. 251, An act to build a new section of the ocean boulevard west of Hampton beach in the town of Hampton. To the Committee on Public Improvements.

By Mr. Dwyer of Manchester, House Bill No. 252, An act relating to relief of heads of families who are totally and permanently disabled by sickness or accident. To the Committee on Judiciary.

By Mr. Corliss of New Boston, House Bill No. 253, An act to prevent the stealing of poultry, fruit and berries. To the Committee on Judiciary.

By Mr. Wadleigh of Milford, House Bill No. 254, An act creating a department of state police. To the Committee on Judiciary.

By Mr. Wadleigh of Milford, House Bill No. 255, An act relative to pedestrians. To the Committee on Judiciary.

By Mr. Ahern of Concord, House Bill No. 256, An act enlarging the powers of Moore's Falls corporation. To the Committee on Judiciary.

By Mr. Baker of Concord, House Bill No. 257, An act making appropriations for a program of service to crippled children. To the Committee on Appropriations.

By Mr. Scammon of Exeter, House Bill No. 258, An act providing for serving of legal process on non-residents. To the Committee on Revision of the Statutes.

By Mr. Stearns of Hancock, House Bill No. 259, An act relating to proceedings in certiorari. To the Committee on Judiciary.

By Mr. Tilton of Laconia, House Bill No. 260, An act relating to assignment of wage claims to labor commissioner for recovery by civil action. To the Committee on Judiciary.

By Mr. Hoyt of Sandwich, House Bill No. 261, An act relating to the use of nets in the taking of fish. To the Committee on Fisheries and Game.

By Mr. Hoyt of Sandwich, House Bill No. 262, An act to strengthen the law relating to standard time. To the Committee on Revision of the Statutes.

By Mr. Kelley of Manchester, House Bill No. 263, An act relating to plumbing and the licensing of plumbers. To the Committee on Judiciary.

By Mr. Kelley of Newport, House Bill No. 264, An act to regulate the practice of barbering. To the Committee on Public Health.

By Mr. Adams of Seabrook, House Bill No. 265, An act providing for the election of selectmen for one year terms. To the Committee on Towns and Counties.

By Mr. Jones of Lebanon, House Bill No. 266, An act relating to the measurement of fuel oil. To the Committee on Judiciary.

By Mr. Jones of Lebanon, House Bill No. 267, An act relating to the sale of fuel wood. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 268, An act providing for the appointment of weighmasters and defining their powers and duties. To the Committee on Judiciary.

By Mr. Jones of Lebanon, House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures. To the Committee on Revision of the Statutes.

By Mr. Sturtevant of Concord, House Bill No. 270, An act relative to the control of trees. To the Committee on Judiciary.

By Mr. Farrell of Manchester, House Bill No. 271, An act relative to the sale of certain alcoholic beverages. To the Committee on Liquor Laws.

By Mr. Mudgett of Conway, House Bill No. 272, An

act to legalize the annual meeting of the North Conway lighting precinct. To the Committee on Judiciary.

By Mr. McCooey of Dover, House Bill No. 273, An act relating to reduced fees in motor vehicle permits. To the Committee on Ways and Means.

By Mr. Foote of Portsmouth, House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge authority. To the Committee on Judiciary.

By Mr. Lariviere of Manchester, House Bill No. 275, An act to regulate the practice of barbering. To the Committee on Public Health.

By Mr. Baker of Concord, House Bill No. 276, An act relating to the state board of health. To the Committee on Public Health.

By Mr. Cartier of Rochester, House Bill No. 277, An act relating to marriage. To the Committee on Public Health.

By Mr. Dustin of Rochester, House Bill No. 278, An atc to create an interim commission to find ways and means of making more effective the control of intoxicating liquors as a beverage. To the Committee on Liquor Laws.

By Mr. Pulsifer of Campton, House Bill No. 279, An act relating to "on-sale" permits. To the Committee on Liquor Laws.

By Mr. Lucas of Dover, House Bill No. 280, An act authorizing cities and towns to insure their drivers of motor vehicles. To the Committee on Judiciary.

By Mr. Garland of Dover, House Bill No. 281, An act to create a State Board of Accountancy. To the Committee on Revision of the Statutes.

By Mr. Goodwin of Bethlehem, House Bill No. 282, An act relative to sale of foods in drug stores. To the Committee on Revision of the Statutes.

By Mr. Goodwin of Bethlehem, House Bill No. 283, An act in favor of the arts and crafts commission. To the Committee on Appropriations.

By Mr. Henderson of Berlin, House Bill No. 284, An act relating to motor vehicles owned by the state. To the Committee on Judiciary.

By Mr. McCooey of Dover, House Bill No. 285, An act relative to disposal of fines imposed under the motor vehicle laws. To the Committee on Revision of the Statutes.

By Mr. Sanborn of Wakefield, House Bill No. 286, An act defining house trailers. To the Committee on Revision of the Statutes.

By Mr. Sullivan of Manchester, House Bill No. 287, An act in relation to licensing painters. To the Committee on Judiciary.

By Mr. Letendre of Manchester, House Joint Resolution No. 72, Joint resolution in favor of Paul E. Bourque. To the Committee on Claims.

By Mr. Stearns of Hancock, House Joint Resolution No. 73, Joint resolution for the installation of automatic fire protection at State House. To the Committee on State House and State House Grounds.

By Mr. Ball of Hopkinton, House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland. To the Committee on Claims.

By Mr. Mitchell of Hooksett, House Joint Resolution No. 75, Joint resolution to reimburse the town of Hooksett for expenses incurred in connection with the flood of 1936. To the Committee on Claims.

By Mr. Beede of Fremont, House Joint Resolution No. 76, Joint resolution for the improvement of the Sandown road in the town of Fremont. To the Committee on Public Improvements.

By Mr. Russell of Bartlett, House Joint Resolution No. 77, Joint resolution for the improvement of the Thorn-Hill road, so called, in the town of Bartlett. To the Committee on Public Improvements.

By Mr. Perkins of Holderness, House Joint Resolution

No. 78, Joint resolution in favor of the town of Holderness. To the Committee on Claims.

By Mr. Tilton of Laconia, House Joint Resolution No. 79, Joint resolution relating to index for session laws. To the Committee on Appropriations.

By Mr. Tilton of Laconia, House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927. To the Committee on Appropriations.

By Mr. Collins of Lisbon, House Joint Resolution No. 81, Joint resolution in favor of Clarence Boeuf. To the Committee on Claims.

By Mr. Dickinson of Rochester, House Joint Resolution No. 82, Joint resolution for the completion of the Strafford-Crown Point road, so-called, in the city of Rochester. To the Committee on Public Improvements.

By Mr. Hayes of Dover, House Joint Resolution No. 83, Joint resolution providing for the completion of the road from Durham to the Lee road, in the town of Madbury. To the Committee on Public Improvements.

By Mr. Cummings of Peterborough, House Joint Resolution No. 84, Joint resolution for the completion of the road from Peterborough to Greenfield. To the Committee on Public Improvements.

By Mr. Nash of Concord, House Joint Resolution No. 85, Joint resolution to provide additional facilities at the state hospital. To the Committee on State Hospital.

By Mr. Nash of Concord, House Joint Resolution No. 86, Joint resolution for additional facilities at the state hospital. To the Committee on State Hospital.

By Mr. Rollins of Alton, House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton bay. To the Committee on Public Improvements.

By Mrs. Banfield of Moultonborough, House Joint Resolution No. 88, Joint resolution for completion of the approaches to Long Island bridge, in Moultonborough. To the Committee on Public Improvements.

By Mr. Huntress of Freedom, House Joint Resolution No. 89, Joint resolution for the improvement of the road from West Ossipee to Freedom. To the Committee on Public Improvements.

By Mrs. Banfield of Moultonborough, House Joint Resolution No. 90, Joint resolution for the construction of a road on Long Island in the town of Moultonborough. To the Committee on Public Improvements.

By Mrs. Dugas of Berlin, House Joint Resolution No. 91, Joint resolution to appropriate money for an illustrated guide of New Hampshire. To the Committee on Appropriations.

By Mr. Corliss of New Boston, House Joint Resolution No. 92, Joint resolution for the completion of the North New Boston road, so-called in the town of Francestown. To the Committee on Public Improvements.

By Mr. Tilton of Laconia, House Joint Resolution No. 93, Joint resolution relative to the compilation of certain historical data. To the Committee on Appropriations.

By Mr. Adams of Seabrook, House Joint Resolution No. 94, Joint resolution in favor of Elizabeth Fellows. To the Committee on Claims.

By Mr. Dagan of Auburn, House Joint Resolution No. 95, Joint resolution in favor of Fanny M. Fraser. To the Committee on Claims.

By Mr. Winkley of Ossipee, House Joint Resolution No. 96, Joint resolution for the improvement of a road in the town of Ossipee. To the Committee on Public Improvements.

By Mr. Callahan of Keene, Concurrent resolution memorializing the congress of the United States to enact into law the Townsend National Recovery plan. To the Committee on National Affairs.

The concurrent resolution was read a first and second time.

On motion of Mr. Callahan of Keene the resolution was

laid upon the table to be printed and referred to the Committee on National Affairs.

RESOLUTION

On motion of Mr. Ahern of Concord:

Resolved, That the Clerk be authorized to procure five hundred additional copies of House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

The House took a recess.

(After recess)

RESOLUTION

On motion of Mr. Wiggin of Tamworth:

Resolved, that the clerk be instructed to procure 500 additional copies of House Bill No. 332, An act relating to fix the legal heighth or level of certain bodies of water of the state. To the Committee on Judiciary.

The introduction of bills and joint resolutions was resumed.

By Mr. Sawyer of Woodstock, House Bill No. 288, An act relating to the taking of pickerel from Mirror lake in the town of Woodstock. To the Committee on Fisheries and Game.

By Mr. Sawyer of Woodstock, House Bill No. 289, An act relating to fly fishing in Mirror lake in the town of Woodstock. To the Committee on Fisheries and Game.

By Mr. Henderson of Berlin, House Bill No. 290, An act increasing the fees for permits to sell beverages. To the Committee on Ways and Means.

By Mr. Butterfield of Windham, House Bill No. 291, An act relating to the rules and regulations of the liquor laws. To the Committee on Liquor Laws.

By Mr. Rogers of Plainfield, House Bill No. 292, An

act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked. To the Committee on Agriculture.

By Mr. Daniels of Manchester, House Bill No. 293, An act relating to the appointment of the city auditor for the city of Manchester. To the Committee on Judiciary.

By Mr. Lacroix of Manchester, House Bill No. 294, An act creating sub offices for registering and licensing motor vehicles. To the Committee on Revision of the Statutes.

By Mr. Horan of Manchester, House Bill No. 295, An act relating to the supervision of electricians. To the Committee on Judiciary.

By Mr. Courtemanche of Allenstown, House Bill No. 296, An act relative to the fiscal year for school districts. To the Committee on Education.

By Mr. Downs of Conway, House Bill No. 297, An act relating to municipal finances. To the Committee on Judiciary.

By Mr. Dubois of Swanzey, House Bill No. 298, An act relating to dogs. To the Committee on Fisheries and Game.

By Mr. Manor of Salem, House Bill No. 299, An act to close Wheeler reservoir or Arlington pond, so-called in the town of Salem to ice fishing. To the Committee on Fisheries and Game.

By Mr. Henderson of Berlin, House Bill No. 300, An act relating to the appointment of an assistant attorney-general in charge of criminal prosecutions. To the Committee on Judiciary.

By Mr. Nash of Concord, House Bill No. 301, An act to regulate the practices of professional engineering and land surveying; creating a state board of registration for professional engineers and land surveyors. To the Committee on Judiciary.

By Mr. Betley of Manchester, House Bill No. 302, An act imposing a tax on certain electrical energy. To the Committee on Ways and Means.

By Mr. Elson of Strafford, House Bill No. 303, An act

authorizing the town of Strafford to issue refunding notes or bonds. To the Committee on Judiciary.

By Mr. Henderson of Berlin, House Bill No. 304, An act providing for old age pensions and means of defraying the expense thereof. To the Committee on Ways and Means.

By Mr. Lievens of Hollis, House Bill No. 305, An act relating to suppression of insect pests and plant diseases. To the Committee on Agriculture.

By Mr. Betley of Manchester, House Bill No. 306, An act relating to insurance companies. To the Committee on Insurance.

By Mr. Mansur of Concord, House Bill No. 307, An act relating to local option. To the Committee on Liquor Laws.

By Mr. McCooey of Dover, House Bill No. 308, An act relating to motor vehicle transfer credits. To the Committee on Revision of the Statutes.

By Mr. Henderson of Berlin, House Bill No. 309, An act relating to employers' liability and workmen's compensation. To the Committee on Labor.

By Mr. Henderson of Berlin, House Bill No. 310, An act limiting the rate of interest chargeable by finance companies. To the Committee on Judiciary.

By Mr. Henderson of Berlin, House Bill No. 311, An act relating to electrical rates charged by utilities. To the Committee on Judiciary.

By Mr. Henderson of Berlin, House Bill No. 312, An act relating to the furnishing of incandescent lamps by electric utilities. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester. To the Committee on Military Affairs.

By Mr. Rollins of Alton, House Bill No. 314, An act relating to rates and charges of public utilities. To the Committee on Judiciary.

By Mrs. Dondero of Portsmouth, House Bill No. 315, An

act providing for an infirmary at the State Industrial school. To the Committee on Industrial School.

By Mr. Rollins of Alton, House Bill No. 316, An act constituting the towns of Alton, Gilmanton and New Durham a village district for certain purposes. To the Committee on Towns and Counties.

By Mr. Dickinson of Rochester, House Bill No. 317, An act relating to the charter of the city of Rochester. To the Committee on Judiciary.

By Mrs. Dondero of Portsmouth, House Bill No. 318, An act providing for a boiler plant and shops at the State Industrial school. To the Committee on Industrial School.

By Mr. Kimball of Manchester, House Bill No. 319, An act to license the sale of flowers and potted plants. To the Committee on Judiciary.

By Mr. Baker of Concord, House Bill No. 320, An act relating to maternal and child health and to crippled children. To the Committee on Public Health.

By Mr. Burbank of Derry, House Bill No. 321, An act providing for the payment by wholesale permittees of certain fees for the sale of certain alcoholic beverages. To the Committee on Ways and Means.

By Mr. Hunter of Hanover, House Bill No. 322, An act providing for a school building at the State Industrial school. To the Committee on Industrial School.

By Mr. Douphinett of Franklin, House Bill No. 323, An act establishing commissioner districts in the county of Merrimack.

On motion of Mr. Ahern the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Merrimack.

By Mr. Cogan of Portsmouth, House Bill No. 324, An act relating to payment of wages. To the Committee on Revision of the Statutes.

By Mr. Cogan of Portsmouth, House Bill No. 325, An act relating to payment of wages. To the Committee on Revision of the Statutes.

By Mr. Hunter of Hanover, House Bill No. 326, An act providing for two boys' dormitories and furnishings at the State Industrial school. To the Committee on Industrial School.

By Mr. Cogan of Portsmouth, House Bill No. 327, An act to regulate industrial homework. To the Committee on Judiciary.

By Mr. Henderson of Berlin, House Bill No. 328, An act relating to small loans. To the Committee on Judiciary.

By Mr. Hunter of Hanover, House Bill No. 329, An act providing for the remodeling of River View dormitory at the State Industrial school. To the Committee on Industrial School.

By Mr. Henderson of Berlin, House Bill No. 330, An act relating to the tenure of office and employments. To the Committee on Judiciary.

By Mr. Henderson of Berlin, House Bill No. 331, An act relating to the sale of appliances by public utilities. To the Committee on Judiciary.

By Mr. Wiggin of Tamworth, House Bill No. 332, An act relating to fix the legal heighth or level of certain bodies of water of the state. To the Committee on Judiciary.

By Mr. Tozier of Exeter, House Bill No. 333, An act to regulate fire insurance rates on municipally owned property. To the Committee on Insurance.

By Mr. Manor of Salem, House Bill No. 334, An act relating to liens for water rates. To the Committee on Revision of the Statutes.

By Mr. Graves of Keene, House Bill No. 335, An act regarding the compensation of county commissioners.

The bill was read a first and second time and laid upon the table to be printed.

Mr. Estabrook of Alstead moved that the rules be suspended and the bill referred to a special committee consisting of the Delegation from the County of Cheshire but subsequently withdrew his motion.

The bill was then referred to a Committee on Towns and Counties.

By Mr. Merrill of Exeter, House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles. To the Committee on Judiciary.

By Mr. Nash of Concord, House Bill No. 337, An act relating to the operation of motor trucks transporting fuels at railroad crossings. To the Committee on Transportation.

By Mr. Woodbury of Manchester, House Bill No. 338, An act providing for instruction in public schools relating to elections and voting. To the Committee on Education.

By Mr. Mansur of Concord, House Bill No. 339, An act relating to the observance of Lord's Day. To the Committee on Revision of the Statutes.

By Mr. Poulin of Manchester, House Bill No. 340, An act relating to meetings of the governor and council. To the Committee on Judiciary.

By Mr. Goodwin of Bethlehem, House Bill No. 341, An act prohibiting drug stores and chain stores from serving meals and lunches. To the Committee on Judiciary.

By Mr. Jordan of Manchester, House Bill No. 342, An act providing for licensing of persons engaged in motor vehicle repair and/or maintenance business. To the Committee on Judiciary.

By Mr. Chabot of Dover, House Bill No. 343, An act to establish motor vehicle sub-stations. To the Committee on Judiciary.

By Mr. Frost of Milford, House Bill No. 344, An act relative to making accident and health insurance policies incontestable prior to policyholder becoming seventy. To the Committee on Insurance.

By Mr. Bailey of Bath, House Bill No. 345, An act providing for a bounty on woodchucks. To the Committee on Fisheries and Game.

By Mr. Donovan of Concord, House Bill No. 346, An act relative to settlement of suits brought for minors. To the Committee on Judiciary.

By Mr. McCooey of Dover, House Bill No. 347, An act relative to registration fees for motor vehicles operating as school buses. To the Committee on Ways and Means.

By Mr. Chabot of Dover, House Bill No. 348, An act relating to salaries of Strafford County Commissioners. To the Committee on Towns and Counties.

By Mr. Stevens of Kingston, House Bill No. 349, An act prohibiting aliens from holding fishing and hunting licenses. To the Committee on Revision of the Statutes.

By Mr. Donnelly of Manchester, House Bill No. 350, An act relative to state stores for the sale of liquor in the city of Manchester.

By Mr. Peever of Salem, House Bill No. 351, An act relating to the taking of fox and raccoons by the use of traps. To the Committee on Fisheries and Game.

By Mr. Graham of Canaan, House Bill No. 352, An act relating to court costs in motor vehicle cases. To the Committee on Judiciary.

By Mr. Perkins of Holderness, House Bill No. 353, An act relating to fly fishing. To the Committee on Fisheries and Game.

By Mr. Kelley of Newport, House Bill No. 354, An act relating to medical referees. To the Committee on Revision of the Statutes.

By Mr. Adams of Seabrook, House Bill No. 355, An act to limit Mountain pond in town of Chatham to fly fishing only. To the Committee on Fisheries and Game.

By Mr. Dempsey of Franklin, House Bill No. 356, An act regarding resident license fee to take fish and game. To the Committee on Fisheries and Game.

By Mr. Goodwin of Bethlehem, House Bill No. 357, An act relating to bear. To the Committee on Fisheries and Game.

By Mr. Adams of Seabrook, House Bill No. 358, An act to limit Long pond in the town of Benton to fly fishing only. To the Committee on Fisheries and Game.

By Mr. Johnson of Hooksett, House Joint Resolution No.

97, Joint resolution for the improvement of the Auburn road in the town of Hooksett. To the Committee on Public Improvements.

By Mr. Tierney of Weare, House Joint Resolution No. 98, Joint resolution for the construction and improvement of road in the town of Weare. To the Committee on Public Improvements.

By Mr. Small of Meredith, House Joint Resolution No. 99, Joint resolution for the improvement of a road in Meredith. To the Committee on Public Improvements.

By Mr. Remick of Groton, House Joint Resolution No. 100, Joint resolution for the improvement of the North Groton road in the town of Groton. To the Committee on Public Improvements.

By Mr. King of Walpole, House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale. To the Committee on Claims.

By Mr. Rice of Rindge, House Joint Resolution No. 102, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations. To the Committee on Appropriations.

By Mr. Johnson of Cornish, House Joint Resolution No. 103, Joint resolution for the improvement of the road leading from the Cornish toll bridge to the Claremont-Lebanon trunk line. To the Committee on Public Improvements.

By Mr. Montminy of Berlin, House Bill No. 359, An act relating to the weight of motor vehicles. To the Committee on Transportation.

By Mr. Montminy of Berlin, House Bill No. 360, An act relating to the width of vehicles operated on the highways of this state. To the Committee on Transportation.

By Mr. Kimball of Manchester, House Bill No. 361, An act making liquor damages a charge upon liquor revenue. To the Committee on Ways and Means.

By Mr. Coakley of Concord, House Bill No. 362, An act relating to definition of terms used in the liquor laws. To the Committee on Liquor Laws.

By Mr. Mitchell of Hooksett, House Bill No. 363, An act relating to the payment of a bounty on rattlesnakes. To the Committee on Fisheries and Game.

By Mr. Kelley of Newport, House Bill No. 364, An act to establish the office of state fire marshall, defining his powers and duties, and providing for his compensation and the maintenance of his office. To the Committee on Judiciary.

By Mr. Spaulding of Keene, House Bill No. 365, An act relating to motor vehicle violations. To the Committee on Revision of the Statutes.

By Mr. Mansur of Concord, House Bill No. 366, An act relating to salaries of judges. To the Committee on Judiciary.

By Mr. Maxham of Concord, House Bill No. 367, An act relating to the protection of wild honey bees. To the Committee on Fisheries and Game.

By Mrs. Brungot of Berlin, House Joint Resolution No. 104, Joint resolution to provide for the purchase of certain land adjoining the state armory in Berlin. To the Committee on Military Affairs.

By Mr. Ramsey of Berlin, House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie. To the Committee on Claims.

By Mr. Donnelly of Manchester, House Joint Resolution No. 106, Joint resolution in favor of James J. Cullen. To the Committee on Claims.

On motion of Mr. Kearns of Manchester at 5:40 o'clock the House took a recess for one hour and forty minutes.

AFTER RECESS

Introduction of bills and joint resolutions was resumed.

By Mr. Durnin of Dover, House Bill No. 368, An act

relating to the establishment of a branch office of the motor vehicle commissioner at Dover. To the Committee on Revision of the Statutes.

By Mr. Lacroix of Manchester, House Bill No. 369, An act relating to taxi-cabs. To the Committee on Public Health.

By Mr. McDonough of Dover, House Bill No. 370, An act relating to the municipal budget act. To the Committee on Revision of the Statutes.

By Mr. Greer of Manchester, House Bill No. 371, An act relating to licensing of auctioneers. To the Committee on Revision of the Statutes.

By Mr. Snodgrass of Berlin, House Bill No. 372, An act closing Leavitt stream in Milan to fishing. To the Committee on Fisheries and Game.

By Mr. Huston of Thornton, House Bill No. 373, An act repealing the laws relating to horse racing. To the Committee on Ways and Means.

By Mr. Mock of Webster, House Bill No. 374, An act relating to the transportation of high school pupils. To the Committee on Education.

By Mrs. Bixby of Berlin, House Bill No. 375, An act relating to the powers of the state liquor commission. To the Committee on Liquor Laws.

By Mr. Cryan of Lancaster, House Bill No. 376, An act relating to absentee voting. To the Committee on Judiciary.

By Mr. McCooey of Dover, House Bill No. 377, An act relating to motor vehicle fees. To the Committee on Ways and Means.

By Mr. Pillsbury of Derry, House Bill No. 378, An act relating to nominations of certain delegates and officials. To the Committee on Judiciary.

By Mr. Monroe of Andover, House Bill No. 379, An act relating to brook trout in Poverty pond in Andover. To the Committee on Fisheries and Game.

By Mr. Bergeron of Rochester, House Joint Resolution No. 107, Joint resolution for the completion of Washing-

ton street, the Barrington road so-called, in Rochester To the Committee on Public Improvements.

By Mr. Goodwin of Bethlehem, House Joint Resolution No. 108, Joint resolution for the improvement of the Agassiz Hill road in Bethlehem. To the Committee on Public Improvements.

By Mr. Graham of Canaan, House Joint Resolution No. 109, Joint resolution for the improvement of the Grafton County turnpike in Canaan. To the Committee on Public Improvements.

By Mr. Palmer of Kensington, House Joint Resolution No. 110, Joint resolution for the improvement of the Hampton Falls road in the town of Kensington. To the Committee on Public Improvements.

By Mr. Palmer of Kensington, House Joint Resolution No. 111, Joint resolution for the improvement of the South road, so-called, in the town of Kensington. To the Committee on Public Improvemens.

By Mr. Houston of Thornton, House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others. To the Committee on Claims.

By Mr. Houston of Thornton, House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others. To the Committee on Claims.

By Mr. Emerson of Hampstead, Joint Resolution No. 114, Joint resolution for dredging a bog in Island pond in Hampstead, Derry and Atkinson. To the Committee on Public Improvements.

RESOLUTION

On motion of Mr. Baker of Concord:

Resolved, that a committee of three be appointed to draw up suitable resolutions expressing good wishes of the House to Dean C. H. Pettee of the University of New Hampshire on his 84th birthday.

The Speaker appointed as members of such committee

Messrs. Danforth of Acworth, Tolman of Manchester, French of Lebanon, and Jones of Munroe.

At 7:20 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

COMMITTEE APPOINTMENTS

Pursuant to a resolution adopted at the morning session the Speaker announced the appointment of the following members to the Joint Standing Committee on State House and State House Yard:

Messrs. Seavey of Rochester, Hunter of Hanover, Palmer of Plaistow, Connelly, A. J. of Manchester, and Guay of Laconia.

THIRD READINGS

On motion of Mr. Cummings of Peterborough the third reading of the bill by its title was made in order.

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936.

On motion of Mr. Cummings of Lyndeborough at 7:25 p. m., the House adjourned.

WEDNESDAY, FEBRUARY 3, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Chase of Manchester was granted leave of absence on account of illness.

Mr. Ramsey of Colebrook was granted leave of absence for the week on account of illness.

Mr. Hammond of Bridgewater was granted leave of absence until further notice on account of illness.

ORDER VACATED

Mr. Dickinson of Rochester moved that the rules be suspended and that the order whereby House Bill No. 317, An act relating to the charter of the City of Rochester was referred to the Committee on Judiciary be vacated and the bill be referred to a special committee consisting of the Delegation from the City of Rochester.

The question being on the motion.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Estabrook of Alstead:

Resolved, That the order whereby House Bill No. 335, An act regarding the compensation of county commissioners was referred to the Committee on Towns and Counties be vacated, that the rules of the House be suspended and the bill referred to a special committee consisting of the Delegation from the County of Cheshire.

RESOLUTIONS

Mrs. Brungot of Berlin presented the following resolutions:

RESOLUTIONS ON THE DEATH OF MISS MABEL DOOLEY

Whereas, Our Heavenly Father has called home our friend and associate, Miss Mabel Dooley, stenographer for the Judiciary Committee, therefore be it

Resolved, That we hereby express our appreciation of her record of devoted and faithful service as an employee, and unite in a tribute of respect to her memory, and be it further

Resolved, That this House extend its deepest and

most sincere sympathy to the bereaved family, and that the Clerk transmit to them a copy of these resolutions.

HILDA C. F. BRUNGOT,
MABEL THOMPSON COOPER,
FOSTER STEARNS,
WILLIAM J. AHERN,
J. M. DUFFY,
Committee.

The resolutions were adopted by a rising vote.

Mr. Moran of Nashua moved that the order whereby House Bill No. 170, An act relating to the Police Commission of Nashua, was referred to the Judiciary Committee be vacated and the bill be committed to a special committee consisting of the Delegation from the City of Nashua.

The Speaker declared the motion out of order in as much as it did not provide for a suspension of the rules so as to allow of reference to a special committee.

Mr. Ahern of Concord moved to amend the motion by inserting after the word "vacated" the words "the rules be suspended.

On a *viva voce* vote the amendment was adopted.

The question being on the motion as amended.

On a *viva voce* vote the motion did not prevail.

Mr. Dwyer of Manchester called for a division.

A division being taken 177 members voted in the affirmative and 130 members voted in the negative, and two-thirds of the members voting not having voted in the affirmative the motion to suspend the rules did not prevail.

Mr. Dwyer of Manchester demanded the yeas and nays.

(Discussion ensued)

Messrs. Ahern of Concord, Hunter of Hanover, Kearns of Manchester, Callahan of Keene, and Tilton of Ward 4 of Laconia, spoke in favor of the motion.

Mr. Dwyer of Manchester withdrew his demand for the yeas and nays and called for another division.

A division being taken the vote was declared to be manifestly in the affirmative.

COMMITTEE REPORTS

Mr. Rogers of Plainfield for the Committee on Agriculture, to whom was referred House Joint Resolution No. 60, A Joint resolution relating to indemnity for diseased bovine animals, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mrs. Daly of Claremont for the Claremont delegation, to whom was referred House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graves of Keene for the Keene delegation, from the city of Keene, to whom was referred House Bill No. 13, An act in relation to the city of Keene, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 135, An act prohibiting compulsory vaccination and inoculation, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Committee on Elections to whom was referred the petition of Eula H. Buckley of Dover praying for a seat in the House, reported by Mr. Garland of Dover that the petitioner be given leave to withdraw her petition for a seat in the House and that the seat be awarded to Mr. Blaisdell.

The report was accepted and the recommendation adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

CONCURRENT RESOLUTION

For the Observance of Lincoln's Birthday, February 12, 1937.

Resolved by the Senate and House of Representatives in General Court convened:

That the House of Representatives and the Senate of New Hampshire at the request of the Sesquicentennial Commission for the State of New Hampshire, in joint convention make observance of Lincoln's Birthday under date of February 11, 1937; that at that time the Legislature act as host to the Sesquicentennial Commission for the State of New Hampshire, the Executive Department and general public to properly observe the birthday, and the contribution of New Hampshire in the adoption and maintenance of the Federal Constitution of the Unted States of America, and that the Speaker of the House and the President of the Senate be authorized to arrange for a suitable address.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 58, An act relating to the taking of fox.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 36 (new draft and new title), An act to

amend the charter of L'Union St. Jean Baptiste society in Nashua.

SENATE BILL READ AND REFERRED

Senate Bill No. 36, (new draft and new title), An act to amend the charter of L'Union St. Jean Baptiste society of Nashua.

The bill was read a first and second time and referred to the Committee on Judiciary.

ORDERS VACATED

On motion of Mr. Tilton of Laconia.

Resolved, That the order whereby House Bill No. 171, An act authorizing the city of Laconia to provide pensions for the city employees, and House Bill No. 181, An act to authorize the city of Laconia to provide pensions for the police officers, were referred to the Committee on Judiciary be vacated, the rules be suspended, and the bills referred to a Special Committee consisting of the delegation from the city of Laconia, House Bill No. 182, An act authorizing the city of Laconia to provide persions for school teachers was referred to the Committee on Education be vacated, the rules be suspended, and the bill referred to a Special Committee consisting of the delegation from the city of Laconia.

On motion of Mrs. Smith of New Hampton at 11:55 o'clock the House adjourned.

AFTERNOON

The House met at 3 o'clock.

THIRD READING

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of the bill, by its title, made in order.

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Mason of Berlin at 3:05 o'clock the House adjourned.

THURSDAY, FEBRUARY 4, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Pray of Portsmouth was granted leave of absence on account of illness of a friend.

Mr. Sullivan of Manchester was granted leave of absence for the day on account of important business.

RESOLUTION

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns this morning it be to meet on Friday morning at 9 o'clock, and that when it then adjourns it adjourn to meet on Monday evening at 7.30 o'clock.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 107, An act changing the name of the Rolfe and Rumford Asylum to Rolfe and Rumford Home.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 77, An

act regarding lien on real estate, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 36, An act relating to capital punishment, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 45, An act for the protection of pedestrians on the highways, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 65, An act to license games of skill, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 66, An act relating to the motor vehicle road toll, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 95, An act relating to the distribution of income from sale of

beverages and liquor, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 108, An act imposing an additional tax on liquor, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mrs. Mason of Berlin the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mrs. Mason of Berlin, for the Berlin Delegation, to whom was referred House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by adding a new section as follows:

1a. The cost of the real estate and construction and erection of buildings and structures thereon, referred to in the preceding section, shall not exceed fifteen thousand dollars ($15,000) in addition to the amount already expended.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Tolman of Nelson presented the following resolutions:

RESOLUTIONS

STATE OF NEW HAMPSHIRE

House of Representatives

Whereas, Dean Charles Holmes Pettee of Durham,

a native of Manchester, reached his eighty-fourth birthday on February 2, 1937 and

Whereas, Charles Holmes Pettee has for sixty-one years served the State of New Hampshire and the boys and girls of this State as a teacher and executive of the University of New Hampshire, and is still performing active and efficient service,

We, the House assembled, do send him our greetings and take this occasion to express our sincere appreciation for these many years of loyal service and to wish him many happy returns of the day;

Be It Further Resolved, That a copy of this resolution be sent to Dean Pettee and also entered in the records of the House of Representatives.

H. RAYMOND DANFORTH,
GORDON F. TOLMAN,
HAROLD C. FRENCH,
JED B. JONES,
Committee.

The resolution was unanimously adopted by a rising vote.

NOTICE OF MOTION TO VACATE ORDER

Mr. Etsler of Claremont gave notice that on tomorrow or some subsequent day he would move that the order whereby House Bill No. 341, An act prohibiting drug stores and chain stores from serving meals and lunches was referred to the Committee on Judiciary be vacated and the bill be referred to the Committee on Revision of the Statutes.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 4, An act relating to divorce.

Amend section 1 of said bill by inserting after the word, "state," in line 4 the following words, "or Federal district," so that said section as amended shall read as follows:

1. Amend paragraph IV of section 6, of chapter 287 of the Public Laws by striking out said paragraph and inserting in place thereof the following:

IV. Conviction of either party, in any state or Federal district, of a crime punishable with imprisonment for more than one year and actual imprisonment under such conviction.

On motion of Mr. Barnard of Manchester, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam.

Amend section 1 of the bill by adding after the word "Winnipesaukee" in the sixth line, the following: Lake Massabesic, Squam lake, Merrymeeting lake, Lake Sunapee; so that said section as amended shall read:

1. *Taking.* Amend section 12 of chapter 201 of the Public Laws as inserted by section 5, chapter 124 of the Laws of 1935, by striking out said section and inserting in place thereof the following: 12. *Pickerel.* Pickerel not less than twelve inches in length may be taken and possessed from June first to January sixteenth except that in Lake Winnipesaukee, Lake Massabesic, Squam lake, Merrymeeting lake, Lake Sunapee and Lake Winnisquam pickerel of not less than twelve inches in length may be taken from June first to April first. A person may take not more than ten pounds of pickerel in one day, provided that so long as he has taken less than ten pounds he shall be entitled to one additional fish.

Amend the title of the bill by adding after the word "Winnipesaukee" the following: Lake Massabesic, Squam

lake, Merrymeeting lake, Lake Sunapee; so that said title as amended shall read:

An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam lake, Merrymeeting lake, Lake Sunapee and Lake Winnisquam.

On motion of Mr. Hoyt of Sandwich, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 58, An act relating to the taking of fox.

1. *Change in Season and Limit.* Amend section 2 of chapter 200 of the Public Laws, as amended by section 4 of chapter 124 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following: 2. *Fox.* Fox may be taken and possessed with the aid or by the use of a dog and gun from September first to March first, and by the use of traps from November first to March first.

On motion of Mr. Monroe of Andover, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 9, An act establishing Commissioner Districts in the County of Sullivan.

Senate Bill No. 22, An act to increase the salary of the Solicitor of Sullivan county.

Senate Bill No. 24, An act relating to the closing of North River lake in Northwood, Nottingham and Barrington to ice fishing.

Senate Bill No. 25, An act regarding liens on real estate.

Senate Bill No. 28, An act relating to the taking of salt water smelt.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

SENATE BILLS READ AND REFERRED

Senate Bill No. 9, An act establishing commissioner districts in the County of Sullivan.

The bill was read a first and second time.

On motion of Mr. Daly of Claremont the rules were suspended and the bill referred to a special committee consisting of the delegation from the County of Sullivan.

Senate Bill No. 22, An act to increase the salary of the solicitor of Sullivan county.

The bill was read a first and second time.

On motion of Mr. Daly of Claremont the rules were suspended and the bill referred to a special committee consisting of the delegation from the County of Sullivan.

Senate Bill No. 24, An act relating to the closing of North River lake in Northwood, Nottingham, and Barrington to ice fishing.

Read a first and second time and referred to the Committee on Fisheries and Game.

Senate Bill No. 25, An act regarding liens on real estate.

Read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 28, An act relating to the taking of salt water smelt.

Read a first and second time and referred to the Committee on Fisheries and Game.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Read a first and second time and referred to the Committee on Revision of the Statutes.

On motion of Mr. Barnard of Manchester the rules were suspended and business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their title made in order.

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 77, An act regarding lien on real estate.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

Severally read a third time and passed and sent to the Senate for concurrence.

RESOLUTIONS

Mr. Spaulding of Keene offered the following resolutions:

RESOLUTIONS ON THE DEATH OF REPRESENTATIVE CLARENCE A. WARDELL

Whereas, we have learned with sorrow of the death of a brother member, Clarence A. Wardell, Representative from Keene,

Be it Resolved, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship; his record of devoted and faithful public service during the past and present session of the New Hampshire General Court, and be it further

Resolved, That this sentiment be printed in our Journal, and that a copy be sent to the family with the

assurance of our sincere sympathy with them in their bereavement.

MARQUIS O. SPAULDING,
GEORGE F. KNOWLTON,
WILLIAM E. JONES,
CARL D. ROCHE,
HENRY L. ESTABROOK,
Committee.

On motion of Mrs. Soper of Littleton at 11:40 o'clock the House adjourned.

FRIDAY, FEBRUARY 5, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, February 5, 1937.

Mr. George H. Nash,
Concord, N. H.
Dear Sir:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Condon of Concord at 9:01 o'clock the House adjourned.

MONDAY, FEBRUARY 8, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, February 8, 1937.

Mr. Erwin E. Cummings,
Lyndeborough, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, FEBRUARY 9, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Putnam of Antrim, Etsler of Claremont, Cryan of Lancaster, and Guay of Laconia, were granted leaves of absence for the day on account of important business.

Messrs. Corliss of New Boston and Woodbury of Manchester were granted leaves of absence for the day on account of illness.

Mr. Sturtevant of Concord was granted leave of absence for the day on account of attending a funeral.

Mr. Plummer of Alexandria was granted leave of absence for the day on account of road conditions.

Mr. Tuxbury of Hanover was granted leave of absence for the day on account of a fire.

Messrs. Danforth of Acworth, Dustin of Rochester, and Butterfield of Windham, were granted leaves of absence until further notice on account of illness.

Mr. Duffy of Keene was granted leave of absence for the week on account of illness.

Mr. Olson of Keene was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 54, An act relating to the licensing of cold storage warehouses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 155, An act to dissolve the New Boston Railroad Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 53, An act relating to legacy receipts, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Revision of the Statutes.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 88, An act relating to probate receipts from minors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Ahern of Concord, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 380, An act to assure an adequate supply of proper milk, with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

RESOLUTIONS

Mr. Molloy of Nashua offered the following resolutions:

Whereas, It has pleased Almighty God in His infinite wisdom to remove from our midst our late fellow representative, Theodore O. Ravenelle, and

Whereas, From our associations and contact with him, we realize that his own city of Nashua and the State of New Hampshire has lost one of its able and loyal citizens; therefore

Be It Resolved, That this House of Representatives hereby expresses its profound regret for the loss of this kindly gentleman, a business man of marked ability, a devoted father and a true friend to mankind.

Be It Further Resolved, That the Clerk transmit a copy of these resolutions to the bereaved family.

JOHN E. BERNARD,
WILLIAM A. MOLLOY,
OVID WINSLOW,
MRS. MABEL COOPER,
PAUL MORAN,
Committee.

The resolution was unanimously adopted by a rising vote.

ORDER VACATED

On motion of Mr. Hoyt of Sandwich, House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam was recalled from the Committee on Engrossed Bills.

On motion of Mr. Booth of Manchester:

Resolved, That the rules of the House be so far suspended that the order whereby House Bill No. 293, An act relating to the appointment of the city auditor for the city of Manchester, was referred to the Committee on Judiciary be vacated and the bill referred to a special committee consisting of the Delegation from the City of Manchester.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem.

House Bill No. 20, An act relating to unemployment in the city of Berlin and in the County of Coos.

House Bill No. 22. An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

SENATE BILL READ AND REFERRED

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mrs. Mason of Berlin at 11:30 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 54, An act relating to licensing of cold storage warehouses.

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

Severally read a third time and passed and sent to the Senate for concurrence.

RECONSIDERATION

On motion of Mr. Hoyt of Sandwich the House reconsidered the vote whereby it concurred in the adoption of amendments to House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam, sent down by the Honorable Senate.

On motion of Mr. Hoyt of Sandwich the House refused to concur in the amendment to House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee and Lake Winnisquam, sent down by the Honorable Senate, and asked for a committee of conference.

The speaker appointed as members of such committee on the part of the House, Messrs. Hoyt of Sandwich, and Osborne of Sunapee, and Mrs. Banfield of Moultonborough.

On motion of Mr. Wadleigh of Milford:

Resolved, That the Clerk be instructed to have printed seven hundred and fifty extra copies of House Bill No. 254, An act creating a Department of State Police.

On motion of Mr. Marquis of Nashua:

Resolved, That the clerk procure five hundred additional copies of House Bill No. 170, An act relating to the Police Commission of Nashua.

On motion of Mrs. Smith of New Hampton at 3:05 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 10, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Fowler of Hill and Greer of Manchester were granted leaves of absence for the day on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 4, An act relating to divorce.

House Bill No. 8, An act relating to the date of the town meeting in the town of Bethlehem.

House Bill No. 22, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

House Bill No. 58, An act relating to the taking of fox.

The report was accepted.

Mr. Gates of Keene, for the Committee on Claims, to whom was referred House Joint Resolution No. 68, Joint

resolution to reimburse Herbert C. Trenoweth, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three hundred dollars ($300) be and is hereby appropriated to pay Herbert C. Trenoweth of Manchester, for the damage to his automobile stolen August 10, 1934, by one John Roberts and one Carl Lang, convicts in the State Prison at Concord, who had been paroled on the above date and on the same day stole the said automobile and practically destroyed same, while escaping. The Governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendmented adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 33, An act relating to landlord and tenant, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 84, An act relating to assignment of counsel, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out the whole of said section and substituting therefor the following: 1. Amend section 2, chapter 368 of the Public Laws by striking out in line one the words "indicted for" and inserting in place thereof the words, held for the grand jury charged with the commission of; further amend by striking out in line

two the word "five" and inserting in place thereof the word, three, so that said section as amended shall read as follows: 2. *Other Cases.* Any person held for the grand jury charged with the commission of any other offense, the punishment whereof may be three years' imprisonment, shall be entitled to have counsel assigned to him by the court and to such process from the court to compel the attendance of witnesses as is usually granted on behalf of the state if the court shall be of the opinion that he is poor and unable to defray the expense of obtaining counsel and the attendance of witnesses, and that injustice may be done if provision is not made thereof at the public expense.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rogers of Plainfield, for the Committee on Agriculture; to whom was referred House Bill No. 144, An act relating to the inspection of nurseries and nursery stock, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 32, An act relating to verdicts in the Superior Court, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 64, An act relating to fish in private ponds, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 381, An

act relative to sale of liquor and beverages with the recommendation that the bill be referred to the Committee on Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Mr. Hoyt of Sandwich, for the Committee of Conference, to whom was referred House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam lake, Merrymeeting lake, Lake Sunapee and Lake Winnisquam, reported the same with the recommendation that the House recede from its position of non-concurrence and the Senate recede from the adoption of its amendment and recommended that the following amendment be adopted:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam lake and Lake Winnisquam.

Amend by striking out all of the bill after the enacting clause and inserting in place thereof the following:

1. *Taking.* Amend section 12 of chapter 201 of the Public Laws as inserted by section 5, chapter 124 of the Laws of 1935, by striking out said section and inserting in place thereof the following: 12. *Pickerel.* Pickerel not less than twelve inches in length may be taken and possessed from June first to January sixteenth, except that in Lake Winnipesaukee, Lake Massabesic, Squam Lake and Lake Winnisquam pickerel of not less than twelve inches in length may be taken and possessed from June first to April first. A person may take not more than ten pounds of pickerel in one day, provided that so long as he has taken less than ten pounds he shall be entitled to one additional fish.

2. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,
DENIS F. MAHONEY,
Senate Conferees.
CHARLES B. HOYT,
EDITH D. BANFIELD,
House Conferees.

The report was accepted.

The question being on the adoption of the recommendation submitted by the committee.

Mr. Adams of Seabrook moved that the recommendation be not adopted and that the bill be recommitted to the Committee on Fisheries and Game.

The question being on the motion of Mr. Adams.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

The recommendation of the committee was then adopted.

The bill was then sent to the Secretary of State to be engrossed.

RESOLUTIONS

On motion of Mr. Etsler of Claremont the order whereby House Bill No. 341, An act prohibiting drug stores and chain stores from serving meals and lunches was referred to the Committee on Judiciary was vacated and the bill referred to the Committee on Revision of the Statutes.

On motion of Mr. Hart of Wolfeboro,

Resolved that the clerk be instructed to have printed 200 extra copies of bills where the supply is exhausted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 35, An

act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam lake, Merrymeeting lake, Lake Sunapee and Lake Winnisquam.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 50, An act relating to the penalty for aggravated assaults.

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 14, An act relating to investments of guardians.

Amend section 1 of the bill by striking out the same and substituting therefor the following: 1. *Investments by Guardians.* Amend section 22 of chapter 290 of the Public Laws as amended by chapter 71 of the Laws of 1931 by adding at the end of sub-section I the words, "or in notes or bonds secured by mortgage insured by the Federal Housing Administrator and guaranteed by the United States of America."

Further amend said section 22 by striking from sub-section III the words "with the exception of stocks in banking corporations and trust companies"; so that said section as amended shall read as follows:

22. *Approved Classes.* Every guardian of a minor shall invest, in the name of his ward, or in his own name as guardian, the money and the proceeds of all real and per-

sonal property of his ward not required for the ward's support in the following described classes of property only:

I. In notes secured by mortgage of real estate at least double in value of the notes, or in notes or bonds secured by mortgage insured by the Federal Housing Administrator and guaranteed by the United States of America.

II. By deposit in some incorporated savings bank in this state, or in the savings department of a national bank or trust company located in this state.

III. In such other stocks and bonds as are legal investments for savings banks in this state.

On motion of Mr. Mansur of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

Senate Bill No. 27, An act relating to the closing of polls at elections other than town meetings.

SENATE BILLS READ AND REFERRED

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meeting.

Senate Bill No. 27, An act relating to the closing of polls at elections other than town meeting.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

RESOLUTION

On motion of Mr. Rogers of Plainfield,

Resolved, That the Speaker of the House of Representatives be and hereby is directed to obtain from the honorable justices of the Supreme Court their opinion upon the following question:

Do the provisions of House Bill No. 380, An act to assure an adequate supply of proper milk, copy of which is annexed hereto and made a part of this resolution, violate any of the provisions of our state constitution?

On motion of Mr. Drowne of Sandown at 11:40 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 33, An act relating to landlord and tenant.

House Bill No. 84, An act relating to assignment of counsel.

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Etsler of Claremont for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 115, Joint resolution relating to the calling of a constitutional convention with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution read a first and second time.

On motion of Mr. Etsler of Claremont, the printing of the joint resolution and its reference to a committee was dispensed with and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Winkley of Ossipee at 3:09 o'clock the House adjourned.

THURSDAY, FEBRUARY 11, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Lanyon of Hanover, and Dreghorn of Warren, were granted leaves of absence for the day on account of important business.

Messrs. Smith of Haverhill, and Taylor of Rumney, were granted leaves of absence for Friday, February 12, on account of town business.

Mrs. Sliney and Mrs. Hoyt of Lebanon, were granted leaves of absence for Friday on account of town business.

Mr. Jones of Lebanon was granted leave of absence for Thursday and Friday on account of business in Superior Court.

Mr. Tuxbury of Hanover was granted leave of absence for Thursday and Friday on account of important business.

Messrs. Corliss of New Boston, and Pray of Portsmouth, were granted leaves for the rest of the week on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 35, An act relating to the taking of pickerel in Lake Winnipesaukee, Lake Massabesic, Squam lake and Winnisquam.

The report was accepted.

RESOLUTION

On motion of Mr. Tilton of Ward 4, Laconia:

Resolved, That the House of Representatives will meet the Senate in joint convention at 11:45 o'clock for the purpose of receiving a message from His Excellency the Governor.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 24, An act relating to naming that portion of state highway between Rochester and Alton Bay, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford, having considered the same, reported the same with recommendations that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 97, An act relating to suits against receiptors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 99, An act creating a New Hampshire Law Reports committee, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 194, An act changing the name of Snake pond in the town of Ossipee, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 52, An act establishing a Board of Registration of Hairdressers and regulating the occupation of hairdressing, reported the same with the following resolution:

Resolved, That the bill be referred to the Public Health committee without recommendation from the Judiciary committee.

The report was accepted and the bill referred to the Committee on Public Health.

Mr. Normandin of Laconia for the Committee on Judiary, to whom was referred House Bill No. 80, An act to

regulate the practice of general contracting, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 183, An act relating to the abduction of minors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 139, An act relating to capital punishment, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled Bill, House Bill No. 382, An act relative to laying out of highways, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled Bill, House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 384, An act legalizing the November election in the town of Londonderry, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell estate, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

On motion of Mr. Cummings of Peterborough the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 48, An act relating to interest on taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Callahan of Keene moved that the bill be substituted for the report of the committee, but subsequently withdrew his motion.

On motion of Mr. Callahan of Keene the bill and the accompanying report were laid upon the table and made a special order for Wednesday, February 17, at 11:01 o'clock.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 133, An act relative to the taxation on cigarettes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 164, An act relating to operation of motor vehicles in this state by non-residents, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 302, An act imposing a tax on certain electrical energy, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 347, An act relative to registration fees for motor vehicles operating as school buses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chase of Manchester for the special committee consisting of the delegation from the city of Manchester, to whom was referred House Bill No. 39, An act relating to officers and employees of the city of Manchester, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the entire section and inserting in place thereof the following:

Sect. 2. *Takes Effect.* This act shall take effect upon its passage, except that officers or employees who have filed declaration of intention for citizenship shall be exempt

from the provisions of section 1 if, within two years from the date of passage of this act, they acquire final papers for citizenship.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Chabot of Dover for the special committee consisting of the delegation from the city of Dover to whom was referred House Bill No. 70, An act relating to the powers of the street commissioner of the city of Dover.

Reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

RESOLUTION

Mr. Saltmarsh of Concord offered the following resolution:

Whereas the form of government under which the United States has prospered for a century and a half, and under which the liberties of the American people have been guaranteed by the independence of the Judiciary branch of the government, is now threatened by bills pending in the National Congress and

Whereas it is of vital concern to all citizens of the United States to preserve and protect the independence of the courts.

Now, Therefore, be it Resolved by the House of Representatives of the State of New Hampshire as the guardian of the interests of our people, that this House is opposed to the passage of the aforesaid bills, and be it further *Resolved* that the Clerk of the House be instructed to forward a copy of these resolutions to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States and to each Senator and Representative in Congress from this state.

The question being on the adoption of the resolution.

On motion of Mr. Saltmarsh of Concord the resolution was laid upon the table and made a special order for Tuesday, February 16 at 11:01 o'clock.

Mr. Moran of Nashua called for a division.

A division being taken 198 members voted in the affirmative and 74 members voted in the negative and the motion prevailed.

Mr. Cummings of Peterborough presented the following:

The New Hampshire Sesquicentennial Commission for the observance of the anniversary of the Federal Constitution and its adoption by the State of New Hampshire in the year 1788, and its ever present efficacy over the affairs of men in this year of 1937, during the period of the Commission activity, in committee assembled take this action by majority vote, as of February the 11th, 1937:

Be It Resolved, That this Executive Commission with all the emphasis accruing to its delegated authority, condemn the action of administrative policy, which would in any way delimit the prestige of the United States Supreme Court, or hold in contempt the experience of age in its personnel.

Be It Further Resolved, That this resolution be submitted to the Speaker of the House of the New Hampshire Legislature in convention assembled to be read to that body, at his will and pleasure.

Signed:

JAMES H. GERLACH
EARL S. HEWITT
RALPH WOODMAN
MRS. BASIL ATWOOD
EDWARD J. ROSSITER
MRS. WILLIAM E. BERTWELL
MRS. ABBIE C. SARGENT

MRS. FRED LUNDBERG
MRS. BURNS P. HODGMAN
WINDSOR H. GOODNOW
FRED W. FRIEND
MRS. ERNEST L. PUTNAM
GEORGE C. CHASE
EDWARD C. COUGHLIN
MRS. CHARLES T. PATTEN
WENDELL McINTIRE
WILLIAM T. ROSE
HERBERT NELSON
F. EARL THAYER
KENNETH BIXBY
PAUL SADLER.

Members of the Commission.

The resolution was accepted.

JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention His Excellency the Governor appeared and delivered the following message:

Delivered by

HIS EXCELLENCY, FRANCIS P. MURPHY

Governor of New Hampshire

On Thursday, February 11, 1937

Under the provisions of the budget and accounting law enacted by the legislature of 1931, it is required that not later than the 15th day of February, in the year of each regular legislative session, the governor shall transmit to the General Court a document known as the budget.

The law describes in detail how this budget is to be prepared and it is the intent that it shall present not only a gen-

eral view of state finances but also an outline of the financial program in accordance with which it is proposed to conduct the business of the state during the ensuing two years.

The message which I shall read to you today conforms with that law. I shall attempt to meet its requirements in some detail, believing that those of us who have been entrusted with the duty of appropriating or administering public funds can never too *often* or too *thoroughly* acquaint ourselves with the financial position of the state.

PART I. GENERAL PROGRAM

A budgetary plan is in effect in the government of the State of New Hampshire but there *are* those who proceed on the theory that it is nothing more than a bookkeeping procedure whereby the departments and institutions estimate how much money they wish to spend in each biennium and that then the legislature proceeds to find the money, if it can.

But the real meaning of the word, "Budget" can be traced back through the years to the good, old-fashioned leather wallet that men carried in their pockets. In the last analysis, the basis for good budgeting really lies in having an accurate knowledge of the income that is actually available and the preparing of a program of expenditures which shall not exceed that income.

That is good bookkeeping in the household, and it is a necessary practice in business. It is just as necessary in the conduct of state government, or government on any other level, where the budget should always represent the best attainable compromise between the ability of the taxpayers to pay and the financial needs of the government.

I have observed that, in recent years, many of those responsible for the preparation of budget estimates have become accustomed to minimize the importance of balancing the cost of the things they would like to accomplish against

the financial capacity of the people to support such undertakings.

In making requests for appropriations, amounts are many times reported which more than generously measure the cost of maintaining existing services and provide amply for added or extended services. In such cases, little or no consideration is given the important question of where the additional money is to come from.

The process of executive review, as required by law, and the investigations conducted by the experienced men appointed to the appropriations committee of the house and the finance committee of the senate may, naturally, be expected to disclose errors in judgment on the part of those responsible for the estimates.

It is my opinion, however, that the formulation of budget estimates requires the exercise of good judgment and considerable knowledge, not only as to the particular department or institution concerned, but also to the financial position of the state as a unit. Estimates prepared on a less broad basis are liable to be incorrect. If so, they necessarily reflect upon the judgment of the departmental estimator.

Figures furnished by the various departments for the next two years were no exception to the rule, showing increases of about 18 per cent for *next* year and 25 per cent for the *year after,* over and above the costs of the present year.

While economic conditions in New Hampshire have improved materially, and while I am encouraged and have abiding faith that the future will bring with it increasing prosperity, it does not seem to me that any such change for the better has occurred which would warrant a considerable increase in the expenditures of the state government.

Following a critical examination of the costs of operating the various departments and institutions, I am certain that it will be possible for us to maintain all of the essential services now being rendered by the state government and to do this without increasing cost over what they are today.

More than that, it should be possible to produce important savings by efforts, generally undertaken, to secure greater results without advancing costs, or, to reduce costs without curtailing services.

So far, I have been referred to the budget from the standpoint of a "financial plan" or program. As such, it serves as a *guide* to both the appropriating and the expending agencies of the state.

But, the budget has other and equally important uses. It is a powerful instrument for the control of *spending* so that once an appropriation has been made by the legislature expenditures under it may be confined strictly to the objects and to the amounts specified. This is, of course, a matter of executive control and I shall have more to say about it on some later occasion.

Finally, the budget is a great *source of information* to all, and this includes the general public, concerning the costs of operating the state government.

I have many times regretted, and I have heard the same thought expressed by others, that the essential facts of government costs were not more readily available to interested persons in an easily understandable and *usable* form every citizen is entitled to know, in any desired degree, the facts concerning the cost of carrying on his government.

Because I believe that better *government* and better *citizens* will result from a wider and more complete knowledge of the state's business, I regard with great favor every effort devoted to the simplification of public accounting and the reporting of information relating to state finances.

As at present established, the budget and accounting system in New Hampshire is an excellent check on the improper use of public funds but, as a source from which the average citizen—and even the expert—can derive a simple financial picture of the state's business, it is *not* a success.

This is not to criticize the system but only to point out that it is *technical accounting* and not at all intended for popular

use. It is my intention, as soon as possible, to provide a supplementary system whereby the state will be able to furnish, in simple, handy form, financial information for citizens who are interested in the dollars and cents angle of state government.

PART II. FINANCIAL POSITION

As in the case of any personal or corporate enterprise, the *first* step in outlining the economic position of the great business we know as the State of New Hampshire must be a description of its finances.

On the last day of 1936, a few days before my inauguration. the state's cash balance amounted to $1,798,780.43, this money being carried on deposit in seven banks and in the office of the state treasurer. Uncollected *taxes* of one kind or another were very small, amounting in all to less than $1,000, an exceptionally fine record among states in the union and, recently, the subject of favorable out-of-state press comment.

This money does not represent a cash *surplus* which is available for spending. It is money which has already been allocated to meet the many demands that are made upon the treasury.

Offsetting this cash asset are carried various *balancing liabilities*, reserves, and fund accounts. Among these is the important "General Fund," amounting to $739,867.34. The money in this fund is the liquid capital on which the state conducts its day-to-day business. The operations of this fund indicate a progressively better condition.

Also among these numerous *funds* which appear in the treasury balance sheet as "off-sets" to cash is the "Highway Flood Balance." If you will remember, the special legislative session authorized the raising of funds for the purpose of highway reconstruction made necessary by the 1936 floods by bond issues not to exceed a total of $2,000,000.00.

As of December 31st, the state had expended for this purpose a total of $1,398,380.02, and this figure appears in

the balance sheet. In passing, I will note that it is probable that about $300,000.00—in addition to the amount already spent—will be needed to complete the work of highway rehabilitation, making the total cost to the state about $1,700,000.00.

Another important offsetting balance in the statement is the regular "Highway Fund" which, as of December 31st, amounted to $1,289,149.28. That sum, together with the revenue to be received during the remainder of the year from gasoline tolls and automobile license fees, is already contracted for or otherwise obligated for use in connection with the maintenance and construction of roads. It does not represent any money available for new work.

Up to the end of the year 1936, the state Board of Welfare and Relief had reimbursed the cities and towns to the extent of $560,639.52, out of a total of $1,200,000.00 authorized for direct relief purposes by the legislature of 1935.

Turning now to "fixed liabilities," we find that on December 31st the gross bonded debt of the state was $13,703,000.00. Practically all of these bonds fall due in regular, periodical installments. The terms of the issues are exceptionally short, *half* the entire funded debt falling due in the course of the next five years.

It will be interesting to recall, at this point, that in every budget which came before the General Court prior to 1931 there regularly appeared an item appropriating money for "Bond maturities and interest requirements." In other words, each legislature had to find money to pay the interest on the state debt and to pay off the bonds falling due. This burden fell upon the taxpayers.

Under the policy wisely followed by legislatures since that time, this item has been taken out of the budget. Bond maturities and interest charges are met out of special sources of non-tax revenue definitely ear-marked for this special purpose.

In other words, interest charges and the costs of bond retirement are not charges against general property. The various outstanding issues of highway bonds, general purpose bonds, toll bridge bonds, and other issues, have been made 100 per cent self-liquidating through the creation of a "General Sinking Fund" in which is accumulated revenues from franchise taxes on public utilities, the estate and inheritance taxes, and the race track, beer and liquor taxes.

From this brief report on the state's financial position at the opening of my administration, it is easy to see the reasons for the high credit which New Hampshire state bonds and notes rate in the financial markets.

The history of the state debt is long and honorable, no default having ever occurred in the payment of principal or interest on its securities. As a result, our bonds are now selling at a premium of 20 points.

About a year ago, the state was able to borrow on five-months' time at the extraordinary low rate of 18/100ths of 1 per cent. More recently, though the money market has hardened slightly, it has been able to borrow on its ninety-day notes at the rate of 1/5th of 1 per cent.

Longer term bonds issued during the year 1936 bore coupons ranging from *1 and 1/4* per cent to 2 per cent. All of them were sold at a premium.

This enviable financial position honors the state and its citizens. It is a result of the sound financial policies always followed by the state which have given investors complete faith in the ability of the people of New Hampshire promptly to meet their public obligations. It has saved to the state very great amounts of money which, otherwise, would have been needed to pay higher interest rates.

PART III—APPROPRIATIONS

I am supplementing this message by a document entitled

"Budget Estimates," which contains departmental and institutional estimates of requirements for the two years which are ahead of us.

This report shows that in the year ending June 30, 1936, actual expenditures of all departments amounted to a total of $3,557,365.98. For the year which will close on June 30, 1937, total expenses are estimated at $3,834,332.35.

According to the estimates filed by the various departments, the total amount needed for the *next* financial year would be $4,201,690.93. They estimate that for the year following that $4,434,218.97 will be needed.

Based upon the most recent estimates of the probable amounts of unrestricted revenue which will be available in those years, such increases in the cost of operating the state government would necessitate increasing the direct state tax by $448,000.00 next year and by $218,000.00 more the year after.

Such a program is unthinkable. It is contrary to the platform pledges of both political parties. It is contrary to the promises I made to the people of New Hampshire before election.

I shall never approve any action which would add even a single dollar to the crushing burden which real estate owners are already bearing. In fact, I favor reducing real property taxes if ways and means can be found.

Consequently, I believe that budget requirements for each of the next two years should not exceed $3,834,400.00, or approximately the estimated total cost for this year. It is my considered opinion that that is the present maximum which the people of the state can reasonably be expected to pay for the support of their government.

PART IV—REVENUES

The figures given in the statement of unrestricted revenues show clearly that, providing no great increases occur in costs, the state government can be carried on without re-

ducing its services to the people, and without having to increase the state tax one cent.

PART V—APPROPRIATION BILL

It is obviously impossible, in the short space of time elapsing between the general election and February 15, for an incoming governor to conduct budget hearings and adequately investigate departmental finances.

Believing that many advantages would accrue to the state as a result of close co-operation between the chief executive and the legislature during the period of budget study, I have already informally placed the departmental budget estimates in the hands of the appropriation committee of the house and the finance committee of the senate.

As you well know, those two committees have been working tirelessly, in co-operation with me, on a schedule which is designed to afford every department an opportunity to present its case as completely as it desires, and to conclude the hearings at the earliest possible date.

Accordingly, the budget which I am transmitting to you today may be said to be preliminary in character, it will have the effect of bringing to your attention certain general policies which I recommend. It embodies the substance of the general appropriation bill.

However, the bill which will be prepared after the budget hearings and executive conferences are concluded will reflect in detail the combined judgment of the House and Senate committees, and of myself.

By this means, I hope it will be possible to develop an appropriation bill in a businesslike manner and also to do this in a much shorter period than is usually found necessary for this purpose.

PART VI. RELIEF

Usually, the problem of finding funds for the state's share of the burden of direct relief is not mentioned in con-

nection with the departmental budgets. I wish to mention it, briefly, at this time, however, because it is my desire ultimately to place the relief money in the budget.

It is useless to avoid facing the fact that this is an operating charge against the income of the state. It is a financial load for which we shall have to make provisions for many years, although to a gradually decreasing extent.

To borrow money this year for relief, for current operations, would be poor business and not at all in harmony with the policies which built up New Hampshire's sterling credit. Good judgment, sound financing methods, and the basic principles of good government all urge that the relief load be incorporated in the regular budget and no longer treated as an emergency undertaking on a temporary basis.

PART VII. TAX SITUATION

I need not mention to the members of the General Court the pressing need for some change in our system of taxation in order to afford relief to owners of real property, especially the small home owner and the farmer.

With the great increase in the cost of direct relief and the severe decline in the value of taxable property has come an upward march of tax rates until today we are faced with the highest average property tax in the history of New Hampshire.

When the tax rate in *so many* places exceeds $4, reaching $5 in one town and $4.10 in a great city like Manchester, the time has arrived when drastic remedies must be considered.

A good many people misinterpret the facts regarding tax rates. Because they confuse the *average property tax* rate with the *direct state tax,* they assume that in a large measure the heavy tax burden on real estate is due to the increased costs of the state government. That is not the case at all.

The only necessity for determining the average property tax rate in New Hampshire is to fix the rate which may,

under our constitution, be assessed on interest and dividends, on railroad property, on telephone and telegraph companies, on public utility franchises, insurance companies, and the like.

These taxes are collected by the state but, as you well know, they are to a large extent returned to the towns for their uncontrolled use.

To arrive at this average rate, the state Tax Commission in effect simply adds together the taxes assessed by all the cities and towns in the state, divides that figure by the total valuation, and the result is the average property rate.

Ten years ago, the average rate was $2.60. It has been going higher and higher each year, and last year reached $3.43.

This increase has almost *no* relation, however, to the cost of maintaining the state government. It is due, on the one hand, to increased local appropriations for highways, schools, relief, and other things, and, on the other hand, to decreases in valuations in the cities and towns.

Citizens do not always observe that the direct state tax is quite another thing. It represents that part of the financial burden of state government costs which is placed directly on real property. It is the difference between the cost of operating the government and the amount of non-tax revenue available for that purpose.

Ten years ago, the state tax amounted to $1,500,000. Out of every dollar raised in taxes by all the cities and towns, *7 and 4/10ths* cents went to the support of the state government.

Last year, the state tax was set at $1,600,000 and only *6 and 2/10ths* cents out of the citizen's tax dollar went to the support of the state government.

From this, it will be clear that the high tax rates are very largely local problems. The principal remedies available to communities to meet them are, first, the building up of new taxable values by encouraging all forms of in-

dustry and home building, and, second, by decreased spending and resort to every possible economy in local administration.

There is a third remedy, affecting both the state and local governments, and that is a plan for broadening the tax base, or for re-apportioning taxes.

I urge you to think constructively along that line but take this occasion to warn you that, in my opinion, your efforts to relieve the tax burden on real estate owners are doomed to failure if the proceeds of any new taxes you might decide to adopt may be used either by the state or by the local government for new spending.

So convinced am I of the undesirability of such a step that I have no intention of approving any measure which is designed to raise new taxes unless the money raised in this manner is used to eliminate or reduce taxes now in effect.

If the tax on the stock in trade of manufacturers and merchants were to be repealed, together with the tax on livestock, it will be necessary to replace those taxes by other forms of tax out of which the towns and cities may be re-imbursed for the loss in revenue.

If funds were made available, out of the proceeds or some other form of tax, whereby a considerable sum could be distributed to the cities and towns for the relief of real property, it will be necessary to establish some means whereby such distributions would surely be spent for the purpose specified and not regarded as additional income, to be spent for other purposes.

Unless some method is devised whereby this result can be accomplished, the individual tax payer would derive little or no advantage from the presence of new revenue in the local budget.

This probably means that participation in a distribution of new revenue, under any system of taxation enacted into law by the legislature, would have to be based upon local

demonstration of economy in expenditures. In short, it might be regarded as a reward for good town management.

The records of the governor and council for the years 1932 and 1933 show that this method was given a practical trial in connection with the disbursement of certain funds for highway purposes.

A requirement for participation was that public expenditures in cities and towns should not materially exceed those approved at the previous town meeting. The result was highly satisfactory. The average tax rate was reduced in 1932 and again in 1933.

In the years that have meantime elapsed there has been no such means of control over local spending and the average tax rate has been increasing steadily. There has been a general increase in spending, despite the mounting burden of direct relief and work relief.

In order that at this time, when consideration is being given these problems, you and I might have available sufficient and accurate information concerning the possibilities of various forms of substitute taxes, I asked the state tax commission some weeks ago to compile a comprehensive report on the subject.

At the same time, I requested the commissioners to present a definite tax program, which they could recommend to the Legislature, together with such supporting data and material as they deemed necessary.

At the conclusion of my message, copies of the tax commissioner's report will be distributed to every member. You may not wholly agree with the recommendations and the suggestions offered in this document, but I am sure that you will find it most interesting.

The commissioners have compiled a frank, informing and comprehensive report which they have entitled, "The Tax Crisis in New Hampshire." It should prove of great value to us, particularly at this time when consideration is being

given to the advisability of re-arranging our plan of taxation.

PART VIII—CONCLUSION

I cannot conclude this message without expressing to you my deep appreciation for the friendly spirit of co-operation which has uniformly been accorded me ever since the day of my inauguration.

I hope that as a result of the forward-looking legislation that will be enacted under such conditions of mutual helpfulness we may be able to bring about a real betterment of economic conditions in our state.

BUDGET MESSAGE

INFORMAL REMARKS

by

HIS EXCELLENCY

GOVERNOR FRANCIS P. MURPHY

Following His Budget Message on

FEBRUARY 11, 1937

This ends my formal message on the budget but I wish to take this opportunity to say a few words on another subject.

I have noticed with much pleasure the efforts being made by the speaker of the House to place the House on a four-day legislative week. The speaker's object is to expedite as much as possible action on the measures which are now before the House.

I heartily endorse this effort and I sincerely trust that every member will make a special effort to be present dur-

ing each working day of the session and do everything possible to dispose of the work in hand.

As you know, it is my intention to make a thorough study of the operations of all the state departments and institutions with a view to determining what can be done to bring about more efficient management and, wherever possible, financial economies.

In addition to this, I hope to begin work soon on the preparation of an economic balance sheet, or a true bookkeeping picture of the State of New Hampshire as a unit.

These undertakings must be carefully carried out. They cannot be done in a few weeks. To do them right will consume several months.

I have, therefore, concluded not to attempt to bring these important matters before you at this time. Rather, we should attend to other matters which can be decided now.

Later, in the fall, I intend asking you to meet again in special session by which time I shall have completed my investigations and have ready for your consideration legislation for the reorganization and consolidation of state departments in accordance with a general plan for the more efficient administration of the state government.

LINCOLN DAY EXERCISES

The Honorable Anson C. Alexander, President of the Senate assumed the chair.

The following program was carried out:

Address by Mrs. Lois Lyman Patten.

Oration, Francis H. Buffum.

On motion of Senator Wilson of District No. 16 the convention rose.

HOUSE

On motion of Mr. Hart of Wolfboro at 1:15 o'clock the House took a recess till 2:55.

After Recess

The House was called to order.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following resolution:

Resolved, That the House will meet the Senate in joint convention at 11:45 o'clock to receive a message from His Excellency, the Governor.

The message further announced the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 5, An act to merge the Board of Water Commissioners and the Board of Sewer Commissioners of the town of Claremont.

House Bill No. 26, An act relating to bulky article attachments.

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

The message further announced the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 50, An act relating to the penalty for aggravated assaults.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Change of Penalty.* Amend section 23 of chapter 392 of the Public Laws by striking out the words "one year" in the third line and inserting in place thereof the words, three years, and by striking out the word "two" in the second line and inserting in place thereof the word, five,

so that said section as amended shall read as follows: 23. *Aggravated Assaults.* If the offense is of an aggravated nature, the offender shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both.

On motion of Mr. Etsler of Claremont the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced the Senate had passed bills with the following titles, in the passage of which it asked concurrence of the House of Representatives:

Senate Bill No. 34, An act relating to actions for malpractice.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

SENATE BILLS READ AND REFERRED

Senate Bill No. 34, An act relating to actions for malpractice.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

Severally read a first and second time and referred to the Committee on the Revision of the Statutes.

RESOLUTION

On motion of Mr. Dickinson of Rochester:

Resolved, That the Clerk be instructed to procure 1000 copies of the Governor's Budget address.

On motion of Mr. Tilton of Ward 4, Laconia at 3:10 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton.

House Bill No. 24, An act relating to naming that portion of state highway between Rochester and Alton Bay.

House Bill No. 39, An act relating to officers and employees of the city of Manchester.

House Bill No. 91, An act relating to the terms of the Probate Court for the County of Strafford.

House Bill No. 97, An act relating to suits against receiptors.

House Bill No. 194, An act changing the name of Snake pond in the town of Ossipee.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanborn of Wakefield at 3:15 o'clock the House adjourned.

FRIDAY, FEBRUARY 12, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Tuttle of Atkinson, Hunt of Gilford, Thompson of Lancaster and Atherton of Nashua and Mrs. Mason of Berlin were granted leaves of absence for the day on account of important business.

Mr. Ball of Hopkinton was granted leave of absence for the day on account of sickness in the family.

Mr. Frost of Milford was granted leave of absence for

the day on account of attending legislature business at the Industrial School.

Mrs. Soper of Littleton was granted a leave of absence for the day on account of business.

On motion of Mr. Callahan of Keene:

Resolved, that when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 75, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 81, An act to authorize the city of Berlin to acquire a certain piece of land in the town of Milan and to operate a recreation field thereon.

The report was accepted.

Mr. Atherton of Nashua for the Committee on Insurance to whom was referred House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rogers of Plainfield for the Committee on Agriculture, to whom was referred House Bill No. 179, An act relating to the weighing of milk, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 220, An act relating to the incorporation of insurance companies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 222, An act relating to the insurance commissioner, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 110, An act legalizing the November election in the town of Stoddard, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 173, An act relating to the collection of poll tax, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee of Judiciary, to whom was referred House Bill No. 178, An act relating to homicide, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 231, An

act relative to contested elections, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 338, An act providing for instruction in public schools relating to elections and voting, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and inserting in place thereof the following:

1. *Public Schools.* Amend chapter 117 of the Public Laws by inserting after section 19 the following new sections:

19-a. *State Constitution and Election Laws.* The Secretary of State is hereby directed to furnish to the State Board of Education such number of copies of the State Constitution and the election laws as may be necessary.

19-b. *Distribution.* The State Board of Education is hereby directed to distribute copies of said Constitution and election laws to all teachers of history and civics in the upper grades of elementary schools and to teachers of United States History in junior and senior high schools to be used by them in instructing their pupils relative to the laws governing election and voting.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 385, An act for the taxation of property passing by sale at retail, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled Bill, House Bill No. 386, An act relating to taxation of income, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled Bill, House Bill No. 387, An act relating to the property tax reduction refund, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Mans.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 388, An act relative to tax on interest and dividends, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 389, An act relative to the taxation of legacies and successions, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

Mr. Estler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 390, An

act relative to taxation of live stock and stock in trade, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 391, An act relating to the Forestry Commission, with the recommendation that the bill be referred to the Committee on Forestry and Recreation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry and Recreation.

Mr. Wiggin of Tamworth for the Committee on Education, to whom was referred House Bill No. 90, An act relating to instruction given in public schools, reported the same with the following restlution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 176, An act regulating the use of ways by fire apparatus and the conduct of persons travelling on said ways, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 230, An act authorizing the creation of housing authorities in cities and towns having a population of more than 10,000 inhabitants, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanborn of Wakefield offered the following resolution:

Whereas, six acts are now pending in the house of representatives affecting the general system of taxation in the state, namely:

House Bill No. 385, An act for the taxation of property passing by sale at retail,

,House Bill No. 386, An act relating to the taxation of income,

House Bill No. 387, An act relating to the property tax reduction fund,

House Bill No. 388, An act relative to tax on interest and dividends,

House Bill No. 389, An act relative to the taxation of legacies and successions,

House Bill No. 390, An act relative to taxation of live stock and stock in trade:

Resolved, that the Speaker of the house be and hereby is directed to obtain from the justices of the Supreme Court their opinion upon the questions arising under these several bills and especially upon the questions enumerated below which are of serious importance to the financial welfare of the state, namely:

1. Would any constitutional provision be violated by imposing a tax upon the value of property passing by sale at retail, to be paid by the purchaser as provided in House Bill No. 385?

2. If the answer to the above question is in the negative would it be constitutional to exempt from the provisions of said bill sales of gas, water, electrcity and motor fuels as provided in said bill?

3. Would any constitutional provision be violated by the adoption of a rate differing from the average rate of taxation throughout the state?

4. Would any constitutional provision be violated by the method of distribution proposed in said bill?

5. Would any constitutional provision be violated by imposing a tax, as provided in House Bill No. 386, upon the earned incomes of individuals and corporations, including manufacturers, wholesale and retail merchants.

6. If the answer is in the negative could such tax be laid at a uniform rate of 3 per cent different from the average rate of taxation in the state?

7. Would the method of distribution provided in said act violate any constitutional provision?

8. Would it be in violation of any constitutional provision to make the personal exemptions provided in said bill larger in amount, as the legislature might decide?

9. Would any constitutional provision be violated by any of the provisions of House Bill No. 387, relating to the property tax reduction fund?

10. Is any constitutional provision violated by any of the provisions of House Bill No. 388, relative to tax on interest and dividends?

11. Is any constitutional provision violated by the difference in method in the distribution of tax revenue from earned income and that from interest and dividends?

12. Is any constitutional provision violated by House Bill No. 389?

13. Could the first $3,000 in value of all estates be exempt from the tax on legacies and successions under House Bill No. 389?

14. Would any constitutional provision be violated by any of the provisions of House Bill No. 390, An act relative to taxation of live stock and stock in trade?

Be it further resolved, that the Speaker of the House be and hereby is directed to furnish a copy of the foregoing resolution to each of the Justices together with copies of the several bills.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 110, An act legalizing the November election in the town of Stoddard.

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 173, An act relating to the collection of poll tax.

House Bill No. 178, An act relating to homicide.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 222, An act relating to the insurance commissioner.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

House Bill No. 231, An act relative to contested elections.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

Severally read a third time and passed and sent to the Senate for concurrent.

NOTICE OF RECONSIDERATION

Mr. Kimball of Manchester gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House adopted the resolution of the Committee on Judiciary that it is inexpedient to legislate on House Bill No. 183, An act relating to the abduction of minors.

On motion of Mr. Wadleigh of Milford at 11:53 o'clock the House adjourned.

MONDAY, FEBRUARY 15, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, February 15, 1937.

Mrs. Ada A. Soper,
Littleton, N. H.

DEAR MADAM:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mrs. Brungot of Berlin at 7:31 o'clock the House adjourned.

TUESDAY, FEBRUARY 16, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Baker of Concord, Lewis of Littleton, and Tuttle of Temple, were granted leaves of absence for the day on account of illness.

Mr. Hoyt of Laconia was granted leave of absence for the day on account of attending a funeral.

Mrs. Charois of Greenville was granted leave of absence on account of illness.

Mr. Park of Keene was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined, and found correctly engrossed the following entitled bills:

House Bill No. 26, An act relating to bulky article attachments,

House Bill No. 50, An act relating to the penalty for aggravated assaults,

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936,

House Bill No. 74, An act relating to the date of the annual meeting of the Bethlehem Village District.

The report was accepted.

Mr. Molloy of Nashua for the special committee consisting of the Delegation from the city of Nashua to whom was referred House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Varney of Rochester for the special committee consisting of the Delegation from the county of Strafford to whom was referred House Bill No. 247, An act relating to the register of deeds for Strafford County, reported the same with the following Resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Varney of Rochester the bill was recommitted to the special committee consisting of the Delegation from the county of Strafford.

RESOLUTION

On motion of Mr. Saltmarsh of Concord the use of Representative Hall, was granted the New Hampshire Con-

ference of Social Work for Wednesday evening, March 10.

On motion of Mr. Perkins of Lebanon,

Resolved, that the rules of the House be so far suspended that the order whereby House Bill No. 345, An act providing for a bounty on woodchucks, and House Bill No. 226, An act increasing the bounty on hedgehogs, were referred to the Committee on Fisheries and Game be vacated and these bills be referred to the Committee on Agriculture.

SPECIAL ORDER

Mr. Saltmarsh of Concord called for the special order, it being the resolution introduced on February 11, relating to certain proposed legislation pertaining to the Supreme Court of the United States.

The question being on the resolution.

(Discussion ensued)

Messrs. Saltmarsh of Concord, Wylie of Concord, Hunter of Hanover, Perley of Lebanon, and McDonough of Dover, spoke in favor of the resolution, Messrs Sanderson of Pittsfield, Sullivan of Manchester, Molloy of Nashua and Ahern of Concord spoke against the resolution.

Mr. Ahern of Concord demanded the yeas and nays, and the roll was called with the following result:

YEAS 215

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Shaw, Tenney, Dickinson of Danville, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Nesmith, Estabrook of Newton, Knowles, Mudge, Fernald, Palmer of Plaistow, Foote, Gray, Pray, Yeaton, Rose, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Chabot, Caswell, Garland, Lucas, McDonough, Blanchard, Richards, Whitehouse, Longley, Jenkins, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Martin, Small, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Sanborn, Carpenter.

MERRIMACK COUNTY: Munroe, Kemp, Boutwell, Mansur, Butterfield of Concord, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunell of Concord, Maxham, Wiley, Nutter of Epsom, Rowe, Fowler, Ball, Merrill of Loudon, Lovely, Carr, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Stearns, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Farland, Janelle, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Sawyer of Jaffrey, Callahan, Graves, Knowlton, Jones of Keene, Hilton, Spaulding, Tolman, Rice, Crane, Granger, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Etsler, Howe, Putnam of Claremont, Sheehan, Johnson of Cornish, Bridgham, Fairbanks, Kelly of Newport, Rogers, Osborne.

GRAFTON COUNTY: Plumer, Davis, Remick of Bristol, Pulsifer, Graham, Walbridge, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Hoyt of Lebanon, Jones of Lebanon, Collins, Hamilton, Hildebrand, Magoon,

Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

Coos COUNTY: Brungot, Snodgrass, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan or Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Rix, Fuller, Whitcher.

NAYS 147

ROCKINGHAM COUNTY: Dagan, Fogg of Deerfield, Fecteau, Palmer of Kensington, Pridham, Rousseau, Turcotte of Newmarket, Barrett of Portsmouth, Dondero, Kittredge, Canty, Cogan, Badger, Gile.

STRAFFORD COUNTY: Henderson of Dover, Durkin, Blaisdell, Durnin, Colby, Berry, Dustin, Cartier, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Edgerly, Normandin, Cantin, O'Shea.

CARROLL COUNTY: Huntress, Wiggin.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Coakley, Stearns of Concord, Ahern, Donovan, Piper, Carignan, Lemire, Dempsey, Douphinett, Mitchell, Dupont, Perkins of Pittsfield, Sanderson.

HILLSBOROUGH COUNTY: Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Betley, Clancy, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. of Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Lareau, Gallagher, Gaudreault, Haggerty, Kelley of Ward 11, Manchester, Aubin, Caron, Desruisseaux, Letendre, Soucy, Boisvert, Lariviere, St. Germain, Dube, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney.

CHESHIRE COUNTY: Despres, Duffy, Roche, Woodbury of Sullivan, Barrett of Troy, Relihan.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Gaffney, Hosking, Quimby, Thomas, Cummings of Newport, Kempton.

GRAFTON COUNTY: Bailey of Bath, Goodwin, Hammond, Remick of Groton, Dubuque, French, Sliney, Sawyer of Woodstock.

COOS COUNTY: Collette, Mason, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Ramsey, Bixby, Dugas, Myler, Seymour, Chandler of Gorham, Johnson of Nothumberland, Marshall, Judd.

And the resolution was adopted.

RESOLUTION

On motion of Mr. Dickinson of Danville.

Resolved, that the copy of the resolution recently passed by the House notifying Congress that we are opposed to President Roosevelt's increasing the membership of the Supreme Court, shall be forwarded to Washington by United States Mail.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 18, An act relating to emergency public works.

House Bill No. 68, An act legalizing the proceedings of the special election held in the town of Enfield on July 11, 1936.

QUALIFIED

Mr. Perley of Lebanon having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

On motion of Mrs. Bixby of Berlin at 12:55 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READING

House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Robertson of Hinsdale at 3:10 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 17, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Lewis of Littleton was granted leave of absence for the day on account of illness.

Mr. Etsler of Claremont was granted leave of absence for Thursday on account of important business.

Mr. Bergeron of Rochester was granted leave of absence on account of attending a funeral.

Messrs. Johnson of Hooksett and Matson of Concord were granted leaves of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton.

House Bill No. 5, An act to merge the board of water commissioners and the board of sewer commissioners of the town of Claremont.

House Bill No. 14, An act relating to investments by guardians.

House Bill No. 110, An act legalizing the November election in the town of Stoddard.

House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell estate.

The report was accepted.

Mr. Rogers of Plainfield for the Committee on Agriculture, to whom was referred House Bill No. 305, An act relating to suppression of insect pests and plant diseases, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 by striking out the entire section and substituting therefor the following:

2. Nothing in this act shall be construed to affect the provisions of chapter 195 of the Public Laws and amendments thereto, relating to the control and eradication of the white pine blister rust, and this act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No 69, Joint resolution in favor of Guy S. Neal and others, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out in line 14 the word "sixty" and inserting in place thereof the word fifty-

six, so that said joint resolution as amended will read as follows:

That Guy S. Neal, sergeant-at-arms of the house, be allowed the sum of twenty-seven dollars; that Wallace Thompson be allowed the sum of eight dollars; that Harold Fournier be allowed the sum of twelve dollars; that Edwin Jones be allowed the sum of eight dollars; that George Simpson be allowed the sum of eight dollars; that Ross Sanborn be allowed the sum of eight dollars; that Patrick H. O'Neil be allowed the sum of twelve dollars; that Clarence J. R. Hunter be allowed the sum of five dollars; that Henry J. H. Parent be allowed the sum of five dollars; that George J. O'Neil be allowed the sum of five dollars; that Daniel Welch be allowed the sum of eight dollars; that Oscar Ronn be allowed the sum of eight dollars; that Alice V. Flanders be allowed the sum of eight dollars; that Raymond B. Lakeman be allowed the sum of twenty-seven dollars; that Benjamin H. Bragg be allowed the sum of four dollars; that William W. Allen be allowed the sum of twelve dollars; that Martin C. Ryan be allowed the sum of fifty-six dollars, in full for their services at the organization of the present Senate and House, and that the Governor be authorized to issue his warrant for the same on the treasury.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass:

Amend the preamble of said joint resolution by inserting after the word "mother" in the twelfth line the words "or father" so that said preamble as amended will read as follows:

"Whereas, It appears that upon settlement of the estate of Mary E. Gardner, late of Newport, in the county of Sullivan and state of New Hampshire, deceased, a balance of $6763.78 remained undistributed in the hands of John W. McCrillis, administrator, that the said Mary E. Gardner died June 26, 1930, that upon a petition alleging there were no known heirs of the said Mary E. Gardner said administrator was authorized by the probate court for said county on March 28, 1934, to pay said sum to the state treasurer, and did thereafter so pay the same, all by virtue of P. L., c. 307, ss. 7, 8; and

Whereas, It now appears that there are heirs-at-law of the said Mary E. Gardner, all of whom were first cousins of the mother or father of said Mary E. Gardner, and as such the latter's next of kin;"

Amend said joint resolution by inserting after the word "mother" in the fifth line the words "or father" so that said joint resolution as amended will read as follows:

"Resolved, By the Senate and House of Representatives in General Court convened:

That the judge of probate for the county of Sullivan and state of New Hampshire is hereby authorized to conduct a hearing or hearings, at which the aforesaid first cousins of the mother or father of the said Mary E. Gardner may appear and present proof that they are the heirs of the said Mary E. Gardner; and if such claims, or any thereof, shall be established the treasurer of the state of New Hampshire shall be ordered by the judge of probate for the county of Sullivan aforesaid to pay said sum, together with the accumulations thereon, if any, to such heirs in the several amounts to which the said judge of probate shall find them entitled.

The Secretary of State is hereby authorized to send a copy of this resolution to the judge of probate for the county of Sullivan aforesaid, who, upon receipt thereof, shall act upon the same forthwith."

The report was accepted, the amendments adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 25, An act regarding liens on real estate, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out in lines one and two the following: Amending chapter 34, Public Laws by adding thereto the following section and inserting in place thereof the following: "Amend chapter 325 of the Public Laws as amended by chapter 34 of the Laws of 1935 by adding thereto the following section:

12. The supreme court and the superior court shall have concurrent jurisdiction in equity, upon petition of any bar association within the state, or of three or more members of the bar of the state, or of the attorney general, to restrain violations of section ten or eleven.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judi-

ciary to whom was referred House Bill No. 119, An act relating to treatment of paupers by any licensed practitioner, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes to whom was referred House Bill No. 15, An act limiting the powers of judges of probate and justices of municipal court in the waiving of the five day law, so called, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 138, An act relating to salaries and compensation of officials and employees of business corporations and secret payments received by the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 199, An act to prevent undue increase in indebtedness of a corporation without the consent of minority stockholders, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 202, An act to provide for the retirement of common stock of a corporation, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 250, An act relating to the abatement of certain nuisances caused by unnecessary noise, reported the same with the following resolution:

Resolved. that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ahern of Concord for the Special Committee consisting of the Delegation from the city of Concord to whom was referred House Bill No. 27, An act in amendment of an act entitled "An act amending the charter of the city of Concord," reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title ought to pass.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Wiggin of Tamworth the rules were suspended to allow for the presentation of committee which had not previously been advertised in the Journal.

Mr. Wiggin of Tamworth for the Committee on Education to whom was referred House Bill No. 296, An act relative to the fiscal year for school districts, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

RESOLUTION

On motion of Mr. Caron of Manchester,—

Resolved, that the State Liquor Commission be authorized to furnish the following information:

The maximum number of barrels of ales and beers sold by the thirty-nine dealers in the state.

The minimum number of barrels of ales and beers sold by the thirty-nine dealers in the state.

PERSONAL PRIVILEGE

Mrs. Barden of Berlin rose to a question of personal privilege and stated that she was unavoidably detained on official business during the roll call yesterday and had she been present would have voted no on the question.

RECONSIDERATION

Mr. Kimball of Manchester moved that the vote whereby the House adopted the resolution of the Committee on Judiciary that it is inexpedient to legislate on House Bill No. 183, An act relating to the abduction of minors, be reconsidered.

On a *viva voce* vote the negative prevailed.

Mr. Kimball called for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

(Discussion ensued)

Messrs. Kimball of Manchester, and Despres of Jaffrey spoke in favor of the bill, Messrs. Pillsbury of Derry, Tilton of Ward 4, Laconia and Wadleigh of Milford spoke against the bill.

On a *viva voce* vote the resolution was adopted.

SPECIAL ORDER

Mr. Callahan of Keene called for a special order House Bill No. 48, An act relating to interest on taxes.

Reported from the Committee on Revision of the Statutes with the resolution that it is inexpedient to legislate.

The question being on the resolution.

(Discussion ensued)

Messrs. Callahan of Keene, Dickinson of Rochester, Tollman of Nelson spoke for the bill, Messrs. Dickinson of Danville and Barnard of Manchester spoke against the bill.

On a *viva voce* vote the resolution was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 3, An act to grant zoning powers to Little Boar's Head district in the town of North Hampton.

House Bill No. 110, An act legalizing the November election in the town of Stoddard.

House Joint Resolution No. 116, Joint resolution in favor of Clarence A. Wardwell Estate.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 18, An act relating to emergency public works.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Extension of Authority.* Amend section 29 of chapter 113 of the Laws of 1935 by striking out the word and figures "June 30, 1937" in the sixth and seventh lines.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate concurred

with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 115, Joint resolution relating to the calling of a constitutional convention.

Amend the resolution by striking out the word, alter, in the ninth line and substituting therefor the word, revise, so that said resolution as amended shall read as follows:

That at the election in the several towns and cities to be holden on the second Tuesday of March 1937, and at a special election to be held in the other cities in which a regular election is not at that time held, the selectmen of the several towns and the officers of the several cities, who are by law required to warn meetings for elections, be directed to insert in their warrants calling such meetings and elections an article which requires the sense of the qualified voters to be taken upon the following question, to wit: Is it expedient to revise the Constitution? And the several clerks of such towns and cities are directed to make due return of their respective towns and cities to the Legislature on or before the twenty-third day of March 1937.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mrs. Sliney of Lebanon at 12:25 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were

suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 25, An act regarding liens on real estate.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation.

On motion of Mr. Ahern of Concord the bill was put back on its second reading and recommitted to the Committee on Judiciary.

On motion of Mr. Barnard of Manchester:

Resolved, That the rules be suspended and the order whereby House Bill No. 214, An act relating to the registration and operation of motor vehicles by non-residents was referred to the Committee on Revision of the Statutes be vacated and the bill referred to the Committee on Transportation.

COMMITTEE ASSIGNMENT

The Speaker announced the assignment of Mr. Bernard of Nashua to the Committee on Insurance in place of Mr. Ravenelle, deceased.

On motion of Mr. Grimes of Dover at 3:07 o'clock the House was adjourned.

THURSDAY, FEBRUARY 18, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mrs. Smith of New Hampton and Mr. Merrill of Exeter were granted leaves of absence for the day on account of important business.

Mr. Hamilton of Lisbon was granted leave of absence for Thursday and Friday on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution No. 115, Joint resolution relating to the calling of a constitutional convention.

The report was accepted.

Mr. Henderson of Berlin for the Committee on Military Affairs to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Henderson of Berlin for the Committee on Military Affairs to whom was referred House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Winslow of Chesterfield for the Committee on Public Health to whom was referred House Bill No. 162, An act to provide for the purification of the waters of Lake Winnisquam, reported the same with a new title and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by adding the following "by

installing a sewage disposal plant for the City of Laconia." so that said title as amended shall read as follows:

An act to provide for the purification of the waters of Lake Winnisquam, by installing a sewage disposal plant for the City of Laconia.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 163, An act relating to vacancies in county offices, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Estabrook of Newton for the Committee on Claims to whom was referred House Joint Resolution No. 75, Joint resolution to reimburse the town of Hooksett for expenses incurred in connection with the flood of 1936, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Estabrook of Newton for the Committee on Claims to whom was referred House Joint Resolution No. 94, Joint resolution in favor of Elizabeth Fellows, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winslow of Chesterfield for the Committee on Public Health to whom was referred House Bill No. 275, An act to regulate the practice of barbering, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 241, An act to compel filtering or elimination by owners or users of all electric appliances causing interference with radio, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means to whom was referred House Bill No. 136, An act to provide for the reimbursement to counties, cities and towns, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means to whom was referred House Bill No. 151, An act relating to certificates of approval, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means to whom was referred House Bill No. 321, An act providing for the payment by wholesale permittees of certain fees for the sale of certain alcoholic beverages, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Varney of Rochester for the special committee consisting of the Delegation from the city of Rochester to whom was referred House Bill No. 92, An act in relation to the city of Rochester establishing a board of police commissioners, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. McDonough of Dover for the special committee consisting of the Delegation from the city of Dover to whom was referred House Bill No. 145, An act to create a board of public works for the city of Dover and to define their duties and other matters, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua for the special committee consisting of the Delegation from the city of Nashua, to whom was referred House Bill No. 170, An act relating to the police commission of the city of Nashua, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

House Bill No. 166, An act relative to the salary received by the special justice of the Municipal Court of Nashua.

On motion of Mrs. Hoyt of Lebanon at 11:23 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READING

On motion of Mr. Ahern of Concord the rules were

suspended and the third readings of bills by their titles made in order.

House Bill No. 163, An act relating to vacancies in county offices, read a third time and passed and sent to the Senate for concurrence.

RESOLUTIONS

On motion of Mr. Rogers of Plainfield:

Resolved, That the Speaker be requested to invite the quartet to render one selection each morning after prayer.

On motion of Mr. Woodbury of Manchester:

Resolved, That the Clerk be instructed to procure 1,000 copies of the speech given in memory of Abraham Lincoln by Mr. Francis H. Buffum, before this House.

COMMITTEE CHANGE

The Speaker announced the appointment of Mr. St. Francois of Nashua to the Committee on Industrial School in place of Mr. DeLacombe of Nashua, resigned.

On motion of Mrs. Cooper of Nashua at 3:05 o'clock the House adjourned.

FRIDAY, FEBRUARY 19, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Knowlton of Keene, Nash of Concord, Hilton of Keene, Jenkins of New Durham, Martin of Meredith, Wadleigh of Milford, Lievens of Hollis, Cryan of Lancaster, Lovely of New London, and Smith of Haverhill, were granted leaves of absence for the day on account of important business.

Messrs. Bailey of Bath, Remick of Groton and Odell of

Amherst were granted leaves of absence for the day on account of town business.

Messrs. Dustin of Rochester, James of Nashua were granted leaves of absence for the day on account of illness,

Messrs. Tozier of Exeter and Head of Eaton were granted leaves of absence for the day on account of illness in the family.

RESOLUTION

On motion of Miss Myler of Berlin.

Resolved, that when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 120, An act to prohibit motor vehicles racing on public ways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by adding the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 24, An act relating to the closing of North River lake in Northwood, Nottingham and Barrington to ice fishing, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Stevens of Kingston for the Committee on Forestry, to whom were referred House Bill No. 86, An act relating to caretakers on recreational areas on state lands, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 17, An act relating to inspectors of election, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 203, An act relating to the posting of highway regulations for trunk line and state-aided highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Estabrook of Newton for the Committee on Claims, to whom was referred House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Estabrook of Newton for the Committee on Claims, to whom was referred House Joint Resolution No. 5, Joint resolution in favor of the town or Errol, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out in lines one and two the following: "Four thousand six hundred ninety-four dollars and ninety-one cents ($4,694.91)" and inserting in place thereof the following: Three thousand dollars ($3,000.00) so that said resolution as amended shall read as follows:

That the sum of Three thousand dollars ($3,000.00) be and the same is hereby appropriated to reimburse the town of Errol for money spent in defending the town of Errol against a suit brought by Wilfred Vidal, Administrator of

the estate of Bernadette Vidal, January 8, 1930, and the sum appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Estabrook of Newton for the Committee on Claims, to whom was referred House Joint Resolution No. 26, Joint resolution in favor of E. L. Wentworth of Rochester, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr Estabrook of Newton for the Committee on Claims, to whom was referred House Joint Resolution No. 27, Joint resolution in favor of E. L. Wentworth of Rochester, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 197, An act regarding cats, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 44, An act relating to snow removal on town highways, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 106, An

act relating to state aid highway numbered 113, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. McReel of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 93, An act prohibiting persons within highways from soliciting rides from the operators of vehicles therein, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Transportation, to whom was referred House Bill No. 359, An act relating to the weight of motor vehicles, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Transportation, to whom was referred House Bill No. 360, An act relating to the width of vehicles operated on the highways of this state, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Daley of Claremont for the Special Committee consisting of the Delegation from the county of Sullivan, to whom was referred Senate Bill No. 22, An act to increase the salary of the Solicitor of Sullivan county, reported the same with recommendation that the bill ought to pass.

The report was accepted.

The question being,

Shall the bill be read a third time?

Mr. Dickinson of Rochester offered the following amendment:

Amend section 2 of said bill by striking out the words "on its passage" and inserting in place thereof the words and figures January 1, 1939.

The question being on the amendment.

(Discussion ensued)

Mr. Dickinson of Rochester withdrew his amendment.

On motion of Mr. Ahern of Concord the bill was laid upon the table and made a special order for Tuesday, February 23 at 11:01 o'clock.

BILL FORWARDED

House Bill No. 27, with new draft and new title, An act relative to the board of public works for the city of Concord.

Taken from the table and ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passing of the following entitled bills, sent up from the House of Representatives:

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 42, An act relating to the land use board.

Senate Bill No. 46, An act relative to the home for aged women.

SENATE BILLS READ AND REFERRED

Senate Bill No. 42, An act relating to land use board.

Read a first and second time and referred to the Committee on Appropriations.

Senate Bill No. 46, An act relative to the home for aged women.

Read a first and second time and referred to the Committee on Revision of the Statutes.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 27, An act relative to the board of public works of the city of Concord.

House Bill No. 86, An act relating to caretakers on recreational areas on state lands.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state aided highways.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 24, An act relating to the closing of North River lake in Northwood, Nottingham and Barrington to ice fishing.

Severally read a third third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Cormier of Nashua, at 11:36 o'clock the House adjourned.

MONDAY, FEBRUARY 22, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, February 22, 1937.

Mr. Charles B. Hoyt,

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, FEBRUARY 23, 1937.

The House met at 11:00 o'clock.

Prayer was offered by Rev. Alice B. Snow, pastor of Kensington Congregational Church.

LEAVES OF ABSENCE

Mr. Lacroix of Manchester was granted leave of absence for the day on account of illness.

Messrs. Magoon of Littleton, Hildebrand of Littleton, Bailey of Haverhill, Seymour of Carroll, and Goodwin of Bethlehem were granted leaves of absence on account of attending a funeral.

Mr. Bouthiette of Manchester was granted leave of absence for the day on account of illness.

Mr. Perkins of Hampton was granted leave of absence for the week on account of illness.

DEATH ANNOUNCED

The Speaker announced the death of Herbert S. Lewis of Littleton and stated that he had appointed the following committee to attend the funeral. Messrs. Magoon of Littleton, Hildebrand of Littleton, Bailey of Haverhill, Seymore of Carroll, and Goodwin of Bethlehem.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 18, An act relating to emergency public works.

Senate Bill No. 25, An act regarding liens on real estate.

House Bill No. 155, An act to dissolve the New Boston Railroad Company.

The report was accepted.

Mr. Rogers of Plainfield for the Committee on Agriculture to whom was referred House Joint Resolution No. 17, Joint resolution relating to agricultural fairs, reported the same with the following amendment and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the words and figures, five thousand dollars ($5,000) in line 1 and inserting in place thereof the words and figures, three thousand dollars ($3,000); further amend by striking out the words, ten per cent of the sum hereby appropriated, in line 8 and inserting in place thereof the words and figures, five hundred dollars, ($500), so that said resolution as amended shall read as follows:

That the sum of three thousand dollars ($3,000) annually be and the same are hereby appropriated for the promotion and encouragement of New Hampshire agricultural fairs, held within the state and an exhibit at the Eastern States Exposition at Springfield, Massachusetts. The sums hereby appropriated shall be expended under the direction

of the commissioner of agriculture provided that the sum expended for an exhibit at the Eastern States Exposition shall not exceed five hundred dollars ($500) and further provided that no part of the appropriation made hereunder shall be expended for any agricultural fair where the total of premiums for agricultural exhibits is less than one hundred dollars. The governor with the advice and consent of the council is authorized to draw his warrant for this appropriation out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Sawyer of Woodstock for the Committee on Appropriations to whom was referred House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations to whom was referred House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the secretary of state be and hereby is directed to cause to be printed six hundred additional copies of the Laws of 1927, four hundred of which shall be bound. The cost of the printing hereby authorized shall be a charge upon the appropriation for legislative expense.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 392, An

act accepting the provisions of the Act of Congress for the further development of co-operative agricultural extension work, with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 393, An act relating to the issue of bonds by the county of Belknap, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 394, An act relating to lines of telegraph and other companies in highways, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 395, An act relative to clerk hire in the probate office of Hillsborough county, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Barnard of Manchester the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Hillsborough.

Mr. Etsler of Claremont for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 117, Joint resolution in favor of estate of Theodore

O. Ravenelle, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Moran of Nashua the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with, and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Seavey of Rochester for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 118, Joint resolution in favor of George Dempster of Lincoln, county of Grafton, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Kearns of Manchester for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 119, Joint resolution in favor of Winston H. Pote; with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Rogers of Plainfield for the Committee on Agriculture to whom was referred House Bill No. 345, An act providing for a bounty on woodchucks, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cummings of Peterborough for the Committee on Claims to whom was referred House Joint Resolution No.

68, Joint resolution to reimburse Herbert C. Trenoweth, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hart of Wolfeboro for the Committee on Appropriations to whom was referred House Joint Resolution No. 93, Joint resolution relative to the compilation of certain historical data, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 185, An act in the interest of public safety, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hutchins of Charleston for the Committee on National Affairs to whom was referred a concurrent resolution memorializing the Congress of the United States to enact into law the Townsend National Recovery plan, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Callahan of Keene spoke in favor of the concurrent resolution, Mr. Hutchins of Charlestown spoke against the concurrent resolution.

Mr. Callahan of Keene demanded the yeas and nays.

Mrs. Brungot of Berlin moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

The roll was called with the following result.

YEAS, 221

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Pillsbury, McReel, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Creighton, Palmer of Kensington, Stevens, Pridham, Rousseau, Turcotte of Newmarket, Estabrook of Newton, Knowles, Mudge, Fernald, Palmer of Plaistow, Pray, Canty, Cogan, Gile, Manor, Drowne, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Blaisdell, McDonough, Durnin, Whitehouse, Longley, Jenkins, Colby, Cartier, Bergeron, Seavey, Varney, Lagueux, Boucher, St. Laurent.

BELKNAP COUNTY: Rollins, White, Hunt, Tarlson, Normandin, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Sanders, Small, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Churchill, Mudgett, Head, Banfield, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Coakley, Stearns of Concord, Baker, Boutwell, Mansur, Butterfield of Concord, Conlon, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Maxham, Wiley, Ahern, Donovan, Nutter of Epsom, Piper, Douphinett, Rowe, Johnson of Hooksett, Mitchell, Ball, Lovely, Carr, Perkins of Pittsfield, Sanderson, Mock.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Avery, Charois, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Clark of Manchester, Farland, Gallagher, Le-

tendre, Boisvert, Lariviere, Foster, Frost, Wadleigh, Atherton, Cooper, Armington, Duclos, Bernard, Dube, Vigneault, Moran, St. Francois, Lougee, Cormier, Bouthillier, Corliss, Currier, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Sawyer of Jaffrey, Graves, Knowlton of Keene, Jones of Keene, Spaulding, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Crane, Granger, Barrett of Troy, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Etsler, Gaffney, Hosking, Howe, Putnam of Claremont, Sheehan, Johnson of Cornish, Fairbanks, Rogers, Osborne.

GRAFTON COUNTY: Plumer, Davis, Bailey of Bath, Remick of Bristol, Walbridge, Hunter, Lanyon, Tuxbury, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Collette, Moffett, Roy, Ramsey of Berlin, Snodgrass, Bixby, Myler, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

NAYS, 102

ROCKINGHAM COUNTY: Dagan, Hepworth, Fecteau, Nesmith, Dondero, Foote, Gray, Yeaton, Badger, Rose.

STRAFFORD COUNTY: Henderson of Dover, Durkin, Garland, Lucas, Caldwell, Habel, Dubois of Somersworth.

BELKNAP COUNTY: Little, Adams of Belmont, O'Shan, Newell, O'Shea.

CARROLL COUNTY: Downs, Quint, Winkley.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Rivet, Kempt, Sharaf, Carignan, Lemire, Dempsey, Fowler, Merrill of Loudon, Dupont, Hill.

HILLSBOROUGH COUNTY: Putnam of Antrim, Pattee, Reynolds, Lievens, Smith of Hudson, Gage, Barry, Dwyer, Kelley of Ward 3, Manchester, Talty, Betley, Mahoney, Sweeney, of Ward 5, Manchester, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gorham, Hanley, Horan, Chevrette, Constant, Donnelly, Poulin, Walsh, Lareau, Gaudreault, Kelley, of Ward 11, Manchester, Aubin, Caron, Desruisseaux, Soucy, St. Germain, Maker, James, Drumm, Sullivan of Nashua, Marquis, Ledoux, Maddox, Noel, Thompson of New Ipswich.

CHESHIRE COUNTY: Robertson, Callahan, Gates, Hilton, Dubois of Swanzey.

SULLIVAN COUNTY: Daly, Quimby, Thomas, Brigham, Cummings of Newport, Kelly of Newport, Kempton, Cram.

GRAFTON COUNTY: Hammond, Graham, Remick of Groton, French, Sliney, Collins.

COOS COUNTY: Barden, Brungot, Dugas, Dutil.

Mr. Nash of Concord voting, Yes, paired with Mr. Cummings of Lyndeborough voting No, and the resolution was adopted.

SPECIAL ORDER

Mr. Danforth of Acworth called for the special order Senate Bill No. 22, An act to increase the salary of the solicitor of Sullivan County.

The question being,

Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Rix of Shelburne at 12:35 o'clock the House adjourned.

AFTERNOON

The House was called to order at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

THIRD READINGS

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire Boundary Line.

House Joint Resolution No. 80, Joint resolution for the reprinting of the Laws of 1927.

Severally read the third time and passed and sent to the Senate for concurrence.

COMMITTEE ASSIGNMENT

The Speaker announced the assignment of Mr. Titus of Landaff to the Committee on Liquor Laws in place of Mr. Lewis, deceased.

On motion of Mrs. Courtemanche of Allenstown at 3:05 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 24, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Merrill of Exeter was granted leave of absence for the day on account of important business.

Mr. Hamilton of Lisbon was granted leave of absence for the week on account of illness.

Mr. Foote of Portsmouth was granted leave of absence until further notice on account of illness.

COMMITTEE REPORTS

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Emerson of Hampstead, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 305, An act relating to suppression of insect pests and plant diseases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Atherton of Nashua, for the Committee on Insurance, to whom was referred House Bill No. 223, An act relating to the sale of lightning rods, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 272, An act to legalize the annual meeting of the North Conway lighting precinct, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 34, An act relating to action for malpractice, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 41, An act relating to standards for the sale of coal and coke, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 276, An act relating to the state board of health, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Rogers of Plainfield, for the Committee on Agriculture, to whom was referred House Bill No. 226, An act increasing the bounty on hedgehogs, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 143, An act relating to leasing bed of Caldwell Pond, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 253, An act to prevent the stealing of poultry, fruit and berries, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 252, An act relating to relief of heads of families who are totally and permanently disabled by sickness or accident, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Haverhill, for the Committee on Labor, to whom was referred House Bill No. 193, An act to limit the car length of trains which may be operated upon railroads, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 369, An act relating to taxi-cabs, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 83, An act relating to the fees for permits to sell beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 137, An act relating to certificates of approval, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 149, An act imposing an additional fee for wholesalers' permits issued under chapter 99, Laws of 1933, reported the same wtih the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 290, An act increasing the fees for permits to sell beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Molloy of Nashua moved that the report of the committee be amended by substituting therefor the words "ought to pass with the following amendment", and that with this question pending the motion be made a special order for Tuesday, March 2, at 11:01 a. m.:

Amend by striking out section 1 by inserting in place thereof the following:

Sect. 1. Amend chapter 149 of the Laws of 1935 by striking out the word "two" in the fifth line and inserting

in place thereof the word "one" so that said section as amended shall read as follows:

Sect. 21-a. *Additional Fees.* In addition to the fees provided for in section 21 the following additional fees shall be required for permits issued: For each off-sale or on-sale permit one dollar for every barrel of beverages containing not more than thirty-one gallons or the equivalent thereof sold by the permittee and to be paid on or before the tenth day of each month to the commission for beverages sold by the permittee during the preceding calendar month. Each holder of an on-sale or off-sale permit, at the time of filing the report required by section 25 and paying the part of the permit fee which shall be due at time of filing said report as provided in section 21, shall also pay that part of the permit fee which shall be due at the time as provided in this section.

Sect. 2. *Takes Effect.* This act shall take effect upon its passage.

On a *viva voce* vote the motion did not prevail.

Mr. Molloy of Nashua demanded the yeas and nays but subsequently withdrew his demand and also withdrew his motion.

Mr. Jones of Lebanon renewed the motion.

On a *viva voce* vote the motion prevailed.

Mr. Kimball of Manchester called for a division.

A division being taken 316 members voted in the affirmative and 7 members voted in the negative and the motion prevailed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 91, An act relating to the terms of the Probate Court for the county of Strafford.

House Bill No. 178, An act relating to homicide.

House Bill No. 194, An act changing the name of Snake pond in the town of Ossipee.

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

SENATE BILL READ AND REFERRED

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

Read a first and second time and referred to the Committee on Public Health.

RESOLUTIONS

On motion of Mr. Etsler of Claremont:

Resolved, That the rules be amended by increasing the membership of the Judiciary Committee to 20 members.

On motion of Mr. Smith of Haverhill:

Resolved, That the rules be so far suspended as to permit of the introduction by Mrs. Dondero of Portsmouth, and Mr. Graham of Canaan, of the following entitled bill:

House Bill No. 396, An act relating to hours of labor for women and minors.

INTRODUCTION OF BILL

House Bill No. 396, An act relating to hours of labor for women and minors.

Bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

COMMITTEE APPOINTMENT

The Speaker announced that Mr. Bailey of Haverhill had been named the chairman of the Committee on Liquor Laws.

On motion of Mrs. Mason of Berlin at 11:50 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 223, An act relating to the sale of lightning rods.

House Bill No. 272, An act to legalize the annual meeting of the North Conway lighting precinct.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war services of residents of New Hampshire.

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 34, An act relating to action for malpractice.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

COMMITTEE APPOINTMENT

The Speaker announced the appointment of Mr. Perley of Lebanon to the Judiciary Committee.

RESOLUTION

On motion of Mr. Smith of Haverhill:

Resolved, That the clerk be instructed to procure 500 additional copies of House Bill No. 396, An act relating to hours of labor for women and minors.

On motion of Mrs. Robinson of Hinsdale at 3:05 o'clock the House adjourned.

THURSDAY, FEBRUARY 25, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Putnam of Antrim and Marston of Rye were granted leaves of absences for the day on account of important business.

Mr.Bolton of Manchester was granted leave of absence on account of death in the family.

Mr. Danforth of Acworth was granted leave of absence for the rest of the week on account of important business.

Mr. Newell of Laconia was granted a leave of absence on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 22, An act to increase the salary of solicitor of Sullivan county.

House Bill No. 91, An act relating to the terms of the probate court for the county of Strafford.

House Bill No. 194, An act changing the name of Snake pond in the town of Ossipee.

House Joint Resolution No. 69, Joint resolution in favor of Guy S. Neal and others.

The report was accepted.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 24, An act relative to closing North River lake in the towns of Northwood, Nottingham and Barrington to ice fishing, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

1. *Closed to Ice Fishing.* Amend chapter 155 of the Laws of 1935 by inserting after section 5 the following new section: 5-a. *North River lake.* North River lake in the towns of Northwood, Nottingham and Barrington is hereby closed to fishing through the ice.

On motion of Mr. Adams of Seabrook, the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 17, An act relating to inspectors of elections, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "Session" in the second line.

On motion of Mr. Etsler of Claremont, the House

adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 99, An act creating a New Hampshire Law Reports Committee, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 374, An act relating to transportation of high school pupils, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking the whole of section 1 and inserting in place thereof the following:

1. Amend section 7, chapter 117 of the Public Laws as amended by section 1, chapter 76 of the Laws of 1933, by inserting after the first sentence the following: "Pupils under the age of fourteen years in grades above the eighth shall also be entitled to transportation as provided in section 6; and in districts not maintaining a high school shall be entitled to reasonable transportation to an approved high school, if the school board neglect or refuse to furnish further instruction in the schools of the district as provided in chapter 119, section 28" so that said section as amended shall read as follows:

7. ——, *Limitations; Additions.* Pupils entitled to transportation may be required to walk a distance not exceeding one and one-half miles to an established transportation line or a school bus line, the vehicle, route and schedule of which shall have been approved by the state board of education, or of one mile to other transportation. Pupils under the age of fourteen years in grades above the eighth shall also be entitled to transportation as provided in section 6; and in districts not maintaining a high school

shall be entitled to reasonable transportation to an approved high school, if the school board neglect or refuse to furnish further instruction in the schools of the district as provided in chapter 119, section 28. The school board may furnish transportation to pupils in grades above the eighth or to any pupils residing less than two miles from the school to which they are assigned, when it finds that this is desirable, and shall furnish it when directed by the commissioner of education.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 105, An act relating to posting of piece rate prices, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines three, four and five the words: "Every employer, whether individual, co-partnership or corporation employing persons on piece rates shall post and keep posted in the rooms where such persons are employed a complete list of piece prices," and inserting in place thereof the following:

Every employer, whether individual, co-partnership or corporation employing persons on piece rates shall post and keep posted in the office or in the work-rooms where such persons are employed a complete list of such prices. Said list shall at all times be accessible to the employees.

So that said section as amended shall read as follows:

Amend chapter 177 of the Public Laws by adding at the end of Section 8 a new section to read as follows:

Sec. 8-A. *Posting of Prices.* Every employer, whether individual, co-partnership or corporation employing persons on piece rates shall post and keep posted in the office or in the work-rooms where such persons are employed a complete list of such prices. Said list shall at all times be accessible to the employees. When new prices are established

they shall be posted at least seven days prior to the date on which they become effective. Any persons violating the provisions of this section shall be punished by a fine of not less than $10 nor more than $100 for each offense.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 23, An act relating to night fishing in the Androscoggin river, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge authority, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 46, An act relative to the Home for Aged Women, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Pray of Portsmouth the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 298, An act relating to dogs, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 363, An act relating to the payment of a bounty on rattlesnakes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Atherton of Nashua, for the Committee on Insurance, to whom was referred House Bill No. 344, An act relative to making accident and health insurance policies incontestable prior to policyholder becoming seventy, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 60, An act relating to hours of labor, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter being covered by House Bill No. 396.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 239, An act relating to hours of labor, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter being covered by House Bill No. 396.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 248, An act relative to commitment to the State Hospital, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 285, An act relative to disposal of fines imposed under the motor vehicle laws, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 178, An act relating to homicide,

Amend the bill by adding after section 1 a new section to be numbered section 2.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Tilton of Ward 4, Laconia, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 166, An act relative to the salary received by the special justice of the Municipal Court of Nashua.

Amend the title of said bill by striking out the words "received by" and inserting in place thereof the word, of, so that said title as amended shall read as follows:

An act relative to the salary of the special justice of the municipal court of Nashua.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Nashua Municipal Court.* Amend section 4, chapter 323 of the Public Laws, as amended by chapter 116 of the Laws of 1929, chapter 19 of the Laws of 1931 and chapter 101 of the Laws of 1935, by striking out the words "six hundred" in the ninth line and inserting in place thereof the words one thousand so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing of the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court in located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eight hundred dollars, of Nashua one thousand dollars, of Concord five hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Molloy of Nashua, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 9, An act authorizing the State Board of Health to make sanitary regulations for interstate waters used as sources of public drinking water supply.

Amend section 1 of said bill by striking out the first four lines thereof and inserting in place thereof the following:

1. *State Board of Health.* Amend chapter 141 of the Public Laws by inserting after section 15, as amended by chapter 10 of the Laws of 1933, the following new section: 15-a. *Regulations for Interstate Waters Used as Sources of Public Water Supply by Adjoining States.* For the purpose of protecting the purity of

On motion of Mr. Baker of Concord, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

COMMITTEE REPORT

On motion of Mr. Wylie of Concord, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal,

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 161, An act creating a retirement system, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Education.

On motion of Mr. Wylie of Concord the Clerk was instructed to procure 500 additional copies of the above bill.

RESOLUTION

On motion of Mr. Hildebrand of Littleton,

WHEREAS, this House has learned with sorrow and regret of the death of our Brother member, Herbert S. Lewis, Representative from Littleton, therefore,

Be it Resolved, that the Speaker appoint a committee to prepare suitable resolutions.

The Speaker appointed as member of such committee Messrs. Smith of Haverhill, Seymour of Carroll, Jones of Munroe, Collins of Lisbon, Hildebrand of Littleton, and Mrs. Soper of Littleton.

On motion of Mr. Sawyer of Woodstock at 11:15 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 99, An act creating a New Hampshire Law Report Committee.

House Bill No. 105, An act relating to posting of piece rate prices.

House Bill No. 374, An act relating to the transportation of high school pupils.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town-meetings.

Read a third time and passed and sent to the Secretary of State to be engrossed.

BILL RECOMMITTED

On motion of Mrs. Brungot of Berlin, House Bill No. 23, An act relating to night fishing in the Androscoggin river, was put back upon its second reading and recommitted to the Committee on Fisheries and Game.

RESOLUTION

On motion of Mrs. Dondero of Portsmouth,

Resolved, that the clerk be instructed to procure 500 additional copies of House Bill No. 249, An act in relation to jurors.

LETTER TO THE SPEAKER

The following letter to the Speaker was received from the Concord Police Commission:

POLICE DEPARTMENT

CITY OF CONCORD, N. H.

FEBRUARY 25, 1937.

TO SPEAKER OF THE HOUSE, O. V. HENDERSON,

Dear Mr. Speaker:

The Concord Police Commission has for some time been aware of the parking problem in the vicinity of the State House as its affects members of the Legislature. We have sought to find a means of better accommodation for the legislators which would not involve undue inconvenience for other citizens who have business to transact with state departments, or for citizens who need to drive to Concord's business section for other purposes.

We have decided to try out a plan which we hope will assist members of the legislature. In its trial, we would earnestly ask the co-operation of the members.

The plan is to issue a wind-shield sticker to those mem-

bers of the legislature living outside the city of Concord and who use their personal cars on official legislative business. Cars bearing such stickers will be exempted from parking time restrictions on days when the legislature holds its three principal working sessions(Tuesdays, Wednesdays and Thursdays). These stickers will be issued to the members through the office of State Motor Vehicle Commissioner John F. Griffin, where they can be had upon application.

In granting this privilege, the police commission desires to call attention of the members to the fact that there are no parking restrictions on city streets west of the State House itself, except as may be specially marked or at fire hydrants, or on Center Street, one block north of the State House. It hopes the members who can conveniently do so will use these unrestricted areas as much as possible in order to avoid a congestion near the State House which, if it should become serious enough under the plan, might force cancellation of the privilege now extended for the purpose of trial.

We hope that this plan will work to the advantage of members of the legislature in seasonably attending the sessions and that co-operation in its operation will permit us to continue it.

In order that the members may understand this effort on our part, we hope this letter may be read to the members at your first opportunity and that it be printed in the journal.

Sincerely,

The Concord Police Commission:

DANIEL J. SHEA,
CHARLES L. JACKMAN,
GUY A. SWANSON,

On motion of Mrs. Smith of New Hampton at 3:10 o'clock the House adjourned.

FRIDAY, FEBRUARY 26, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Nash of Concord, Martin of Meredith, Knowlton of Keene, Hilton of Keene, Frost of Milford, Wadleigh of Milford, Palmer of Plaistow and Thompson of New Ipswich were granted leaves of absence for the day on account of important business.

Messrs. Newell of Laconia and Hunt of Gilford were granted leaves of absence for the day on account of illness.

Mr. Reynolds of Greenfield was granted leave of absence for the day on account of attending a funeral.

The members of Grafton County Delegation were granted leave of absence for the day on account of attending the County Farm.

RESOLUTION

Miss Myler of Berlin offered the following resolution:

Resolved, That when the House adjourns this morning it be to meet on Monday evening at 7:30.

COMMITTEE REPORTS

Mr. Rogers of Plainfield, for the Committee on Agriculture, to whom was referred House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 15 the words "Combination Fancy and Utility" and substituting in place thereof the word, Choice; further amend by striking out in line 17 the word "Utility" and substituting in place thereof the following, B. Grade; further amend by striking out

in line 19 the word "Unclassified" and substituting in place thereof the word, Cooking, so that said section as amended will read as follows:

1. *Definitions.* The terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

Person means any person, firm, partnership, corporation or association.

Extra Fancy means apples conforming to the standards for extra fancy grade as defined in chapter 19, Laws of 1927 as amended by chapter 23 of the Laws of 1931.

Fancy means apples conforming to the standards for fancy grade as defined in chapter 19, Laws of 1927, as amended by chapter 23 of the Laws of 1931.

Utility means apples conforming to the standards for B. grade as defined in chapter 19, laws of 1927, as amended by chapter 23 of the Laws of 1931.

Choice shall mean apples not less than 25% of which conform to the standards for Fancy apples and the remainder to the standards for B. Grade apples as defined in chapter 19, Laws of 1927, as amended by chapter 23 of the Laws of 1931.

Cooking means any apples not coming within standards listed above.

Amend section 2 by inserting after the word "distribution" in line 2 the words, in any manner except a closed package; further amend by striking out the word "by" in line 3; further amend by striking out in lines 9 and 10 the words "Combination Fancy and Utility, and Unclassified" and substituting in place thereof the words, Choice and Cooking, so that said section as amended will read as follows:

2. No person selling, offering, exposing or advertising apples for sale or exchange or distribution in any manner except a closed package shall use terms describing the quality of the fruit except those terms listed and defined

in section 1. Such apples must conform to the respective standards for those terms as herein defined, and when the variety of such apples is designated all apples so designated shall be of the variety named. The Commissioner of Agriculture may, from time to time, specify what grades set by other states or by the Federal Government correspond to Extra Fancy, Fancy, Utility, Choice and Cooking grades as used herein.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 243, An act relating to criminal appeals, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graham of Canaan, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 188, An act relative to marriage by a party under the age of consent, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graham of Canaan, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 59, An act relating to permits for entries to private cemeteries, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 113, An act relating to the bridge between Orford, N. H. and Fairlee, Vt., reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 398, An act relative to motor vehicle trailers, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 399, An act relative to acceptance of certain federal aid road acts, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel bridges, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Ahern of Concord for the Committee on Rules, re-

ported the following entitled bill, House Bill No. 401, An act establishing commissioner districts in the county of Coos, with the recommendation that the bill be referred to the Committee on Towns and Counties.

The report was accepted and the bill read a first and second time.

On motion of Mrs. Brungot of Berlin the rules were suspended and the bill referred to a special Committee consisting of the Delegation from the County of Coos.

Mr. Seavey of Rochester for the Committee on Rules, reported the following Joint Resolution, House Joint Resoluction No. 120, Joint resolution in favor of Frank J. Page of Gilmanton, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 114, Joint resolution for dredging a bog in Island pond in Hampstead, Derry and Atkinson, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out in lines five, six, seven and eight the following: "The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds," and substituting therefor the following:

The sums appropriated by the state and by the town shall be expended under the direction of the Public Service Commission and the sum appropriated by the state shall be appropriated out of any money in the treasury not otherwise appropriated, so that said resolution as amended shall read as follows:

That the sum of two thousand dollars ($2,000) be and hereby is appropriated for the dredging of a bog in Island Pond in the towns of Hampstead, Derry and Atkinson, provided that the town of Hampstead appropriates one thousand dollars ($1,000.00) for the same purpose. The sums appropriated by the state and by the town shall be expended under the direction of the Public Service Commission and the sum appropriated by the state shall be appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the Rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 217, An act relative to the inspection of gasoline pumps, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 260, An act relating to assignment of wage claims to Labor Commissioner for recovery by civil action, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 268, An act providing for the appointment of weighmasters and defining their powers and duties, reported the same with the following restlution:

Resolved, that it is inexpedient to legislate.

Mr. Graham of Canaan for the Committee on Revision of the Statutes, to whom was referred House Bill No. 141, An

act relating to voting residence, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 30, An act relating to the building and maintenance of state roads and highways by the state highway department, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

On motion of Mr. Molloy of Nashua the bill with the accompanying report was laid upon the table and made a special order for Wednesday, March 10 at 11:01 o'clock.

Mr. Graham of Canaan for the Committee on Revision of the Statutes, to whom was referred House Bill No. 72, An act relating to fire escapes, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Cheever of Wilton for the Committee on Revision of the Statutes, to whom was referred House Bill No. 262, An act to strengthen the law relating to standard time, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted,

The undersigned, a minority of the committee on Revision of the Statutes, to whom was referred House Bill No. 262,

An act to strengthen the law relating to standard time, reported the same with the recommendation that the bill ought to pass.

CHARLES B. HOYT,
HAROLD C. FRENCH,
JOHN H. PERKINS,
DENNIS M. McDONOUGH,
A Minority of the Committee.

Mr. Hoyt of Sandwich moved that the report of the minority be substituted for the report of the majority, and with this motion pending moved that the bill and reports be laïd upon the table and made a special order for Wednesday, March 3, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

ORDER VACATED

On motion of Mr. Barnard of Manchester,

Resolved, that the order whereby House Bill No. 349, An act prohibiting aliens from holding fishing and hunting licenses was referred to the Committee on Revision of the Statutes be vacated, and the bill be referred to the Committee on Fisheries and Game.

NOTICE OF RECONSIDERATION

Mr. Barnard of Manchester gave notice that today or on some subsequent day he would move to reconsider the vote whereby the House adopted the resolution of the Committee on Revision of the Statutes that it is inexpedient to legislate on House Bill No. 248, An act relative to commitments to the state hospital.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were

suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 59, An act relating to permits for entries to private cemeteries.

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

House Bill No. 188, An act relative to marriage by a party under the age of consent.

House Bill No. 243, An act relating to criminal appeals.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Barnard of Manchester the vote whereby the House adopted the resolution of the Committee on Revision of the Statutes that it is inexpedient to legislate on House Bill No. 248, An act relative to commitment to the state hospital was rescinded.

On motion of the same member the bill was recommitted to the Committee on Revision of the Statutes.

On motion of Mr. Courtemanche of Allenstown at 11:40 o'clock the House adjourned.

MONDAY, MARCH 1, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, March 1, 1937.

Mr. Jed B. Jones,
Monroe, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Cummings of Lyndeborough at 7:31 o'clock the House adjourned.

TUESDAY, MARCH 2, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Putnam of Antrim, Frost of Milford, and Cryan of Lancaster were excused for the day on account of important business.

Mr. Pulsifer of Campton was granted leave of absence for the day on account of death in the family.

Mr. Atherton of Nashua was granted leave of absence for the day on account of illness.

Messrs. Hunter of Hanover, Newell of Laconia and Magoon of Littleton were granted leaves of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed

Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 46, An act relative to the Home for Aged Women.

House Bill No. 9, An act authorizing the state board of health to make sanitary regulations for interstate waters used as sources of public drinking water supply,

House Bill No. 97, An act relating to suits against receiptors,

House Bill No. 166, An act relative to the salary of the special justice of the Municipal Court of Nashua.

House Bill No. 178, An act relating to homicide,

House Joint Resolution No. 117, Joint resolution in favor of estate of Theodore O. Ravenelle.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 34, An act relating to actions for malpractice, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "paragraph" in the first line and inserting in place thereof the word, section; further amend said section 1 by inserting after the word "section" in the third line the words, as amended.

On motion of Mr. Callahan of Keene, the House adopted the amendment proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Bill No. 42, An act relating to the land use board, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 53, (in new draft), An act relating to the legacy receipts, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by inserting after the word "parent" in lines ten and thirteen the words or other person so that said section as amended shall read as follows:

Amend chapter 307 of the Public Laws by inserting after section 18, a new section numbered 18-a as follows: 18-a. Whenever any minor not being under legal guardianship shall be entitled to receive from any administrator or executor any distributive share as heir, or any legacy, the full amount of which share or legacy is less than two hundred dollars, said administrator, or executor, upon petition to and approval of the Probate Court shall pay said sum to the parents of said minor, if both are living, or to the surviving parent, if one parent is deceased, or to the parent, or other person, having custody of said minor, if the parents are divorced, and the receipt of said parents or parent or other person shall be filed and accepted by the Probate Court in discharge of the administrator's, or executor's liability therefor in the same manner and effect as though said parents or parent or other person had been legally appointed guardian by the Probate Court. Publication of notice upon the petition to the Probate Court shall not be required unless ordered by the Court.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 31, An act relating to regular meetings of town and city planning boards, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 78, An act relating to alimony, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed, and referred to the Committee on Revision of the Statutes.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 91, Joint resolution to appropriate money for an illustrated guide of New Hampshire, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 201, An act to license architects, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House

of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 84, An act relating to assignment of counsel.

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Bill No. 97, An act relating to suits against receiptors.

House Bill No. 144, An act relating to the inspection of nurseries and nursery stock.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 33, An act relating to landlord and tenant,

House Bill No. 39, An act relating to officers and employees of the city of Manchester.

House Bill No. 222, An act relating to the Insurance Commissioner.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

Amend section 4 by striking out the words and figures, October 31, in line 15 of said section and inserting in place thereof the words and figures, June 30, so that said section as amended shall read as follows:

4. Amend chapter 284 of the Public Laws by inserting after section 8 thereof the following section 8a.

"8a. The commissioner may examine or cause to be examined at the expense of the applicant or dealer the affairs and condition of a registered dealer in securities or an applicant who desires to become registered as such dealer. An applicant shall furnish in addition to the information required in the application such other documentary evidence of condition and responsibility as the commissioner may require, including without limiting the generality of the foregoing, authentic copies of articles of incorporation, partnership agreements, by-laws, balance sheets and earning statements. By December 1 of each year every licensed dealer in securities shall furnish under the oath to such responsible member or members of the dealer's organization as the commissioner may require an annual financial statement for the period ending June 30 of each year exhibiting with reasonable detail, assets, liabilities, profit and loss of the dealer for a period of one year upon a form to be furnished by the commissioner."

On motion of Mr. Wadleigh of Milford the House adopted the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 231, An act relative to contested elections.

Amend section 1 of the bill by striking out the word "may" in the sixth line thereof and substituting therefor the word shall; so that said section as amended shall read as follows:

1. *Mileage Allowance.* Amend chapter 3 of the Public Laws by adding after section 6 the following new section: 7. *Representatives.* Any person who has received a certificate of election as representative and who has taken his seat as such representative but who is unsuccessful in retaining said seat because his election thereto is contested,

shall be allowed and paid his mileage for the period of time during which he held his seat.

On motion of Mrs. Brungot of Berlin the House adopted the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

RESOLUTIONS

On motion of Mr. Sanborn of Wakefield—

Resolved, that the New Hampshire Good Roads Association be granted the use of Representatives Hall on Thursday evening, March 11 for a road meeting open to the public, at which time Mr. E. W. James, Chief of the Bureau of Transport, U. S. Bureau of Public Roads, will give an illustrated talk on the Pan-American Highway. There will also be a talkie movie on the opening of the San Francisco Bay Bridge.

Mr. Caron of Manchester offered the following resolution:

Whereas, the State of New Hampshire is in urgent need of additional revenue in order to meet its obligations and to function in all its essential departments for the good and welfare of its citizens; and

Whereas, House Bill No. 152, entitled "An Act Relating to Pari Mutuel Pools" which seeks to give to the State the so-called "breakage" on mutuel pools, involves the grant to the State of a considerable sum of money; and

Whereas, attempts are being made by everyone concerned with our government to find ways and means of raising revenue without imposing additional taxes; and

Whereas, attempts are being made to reduce the expenditures of the State in order to stop the increase in taxes which has taken place in recent years; and

Whereas, the funds to be derived from such "breakage" are available to the state; and

Whereas, it is the policy of our law to treat property

which cannot be identified and claimed by individuals as belonging to the state by the application of the doctrine of escheat and in the case of savings bank deposits; and

Whereas, the operators of race tracks are not entitled to such breakage because such money does not belong to such operators, but belongs to the individuals who place bets with such operators; and

Whereas, such operators of race-tracks are amply and sufficiently remunerated by an allowance of 6¼ per cent of all bets so placed with them and charge admission fees to such race-tracks; and

Whereas, such operators of race-tracks have been reluctant to reveal to the public the amount of profits made during the period which they have operated in this state and it is not possible to ascertain in fact and in truth just what their profits have been; and

Whereas, such operators of race-tracks have paid exorbitant salaries to their officials (it is known in one case that one official received $30,000 per year as a salary) and have claimed excessive expenses in reduction of their net profits; and

Whereas, the profits of such race-track enterprises have been divided in the form of salaries and expenses so that the large profits which are obtained from such operations are concealed; and

Whereas, the so-called Rockingham track was sold in 1936 for $650,000 while the original purchase price was claimed to be $245,000 and full depreciation was claimed, for the plain purpose of obtaining further depreciation, thereby enabling such operators to charge off their profits to depreciation and during this entire period of time the same management controlled both companies, to wit-the N. H. Breeders' Association and the N. H. Jockey Club; and

Whereas, the conduct of races in this state is a special franchise granted by the state and while the state needs

revenue many of our citizens are losing money because of such races being conducted in this state; and

Whereas, the state did not invite the operators of such race-tracks to locate here, but such operators came into this state and paid large sums of money to lobbyists to enable them to conduct such races within this state; and

Whereas, hearings have been held by the Ways and Means Committee on this bill and it appears that this Committee is hostile to the passage of this bill regardless of the evidence which has been presented before it and the importance of this bill which would be an additional revenue to the state of approximately $175,000 in two years; and

Whereas, several members of the said Committee have at one time or other been employed or otherwise affiliated for profit with the race-track operators who would be affected by this bill,

Now, Therefore, Be It Resolved by the House,

That the said House Bill No. 152 be and is hereby recalled from the said Ways and Means Committee and is hereby re-committed to the Committee on Revision of the Statutes.

The question being on the resolution.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Dickinson of Danville and Barnard of Manchester spoke against the resolution, Mr. Caron spoke in favor of the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Smith of Haverhill offered the following resolution:

Resolutions on the death of representative

HERBERT S. LEWIS

Whereas, it has pleased Almighty God in His infinite wisdom to remove from our midst, our late fellow Representative, Herbert S. Lewis.

Be it Resolved, that, we, the members of the New Hampshire House of Representatives, Attest our appreciation of his loyal citizenship, his record of faithful public service, during the past and present session, of the New Hampshire General Court, and be it further,

Resolved, that this House of Representatives, hereby express its profound regret for the loss of this kindly gentleman, a business man of marked ability, a devoted husband and father, a true friend to mankind.

Be it Further Resolved, that this sentiment be printed in our Journal, and that the Clerk transmit a copy of these resolutions to the family, with the assurance of our sympathy with them in their bereavement.

Be it Further Resolved, that when the House adjourns today it be out of respect to his memory.

HERBERT E. SMITH,
JOSEPH A. SEYMOUR,
ADA A. SOPER,
JED B. JONES,
JAMES E. COLLINS,
JACOB HILDEBRAND.

The resolution was unanimously adopted by a rising vote.

On motion of Mr. Barnard of Manchester,

Resolved, that Senate Bill No. 41, An act relating to standards for coal and coke, and Senate Bill No. 19, An act relating to the duties of selectmen in warning Town Meeting be recalled from the Governor for purposes of amendment.

On motion of Mr. Gorham of Manchester,

Resolved, that in appreciation of the courtesy extended to the members of the State Legislature, by the citizens and police commissioners of Concord, in extending the time of parking regulations to the members when the House is in session.

That the House go on record in expressing their thanks

to the citizens and police commissioners of Concord for this privilege.

OPINION OF THE SUPREME COURT

The following opinion was received from the Supreme Court as to the constitutionality of 6 acts now pending in the House of Representatives affecting general system of taxation in the state namely: House Bill No. 385, An act for the taxation of property passing by sale of retail, House Bill No. 386, An act relating to the taxation of income, House Bill No. 387, An act relating to the property tax reduction fund, House Bill No. 388, An act relating to tax on interest and dividends, House Bill No. 389, An act relative to the taxation of legacies and successions, House Bill No. 390, An act relative to the taxation of livestock, and stock in trade.

OPINION OF THE SUPREME COURT AS TO THE CONSTITUTIONALITY OF BILLS NOW PENDING AFFECTING THE GENERAL SYSTEM OF TAXATION IN THE STATE.

To the House of Representatives:

The undersigned, justices of the Supreme Court, furnish this answer to the inquiries submitted by your resolution of February 12.

Your first four inquiries are directed towards House Bill No. 385, providing for a retail sales tax.

1. In our opinion such a tax may be validly imposed. Its propriety on constitutional grounds was discussed in *Opinion of the Justices,* 84 N. H. 559, 575-577, and we agree with the conclusion there reached, that "a tax upon sales made within the state would be constitutional". The tax being upon "the transmission of property in a distinctive way", it is immaterial whether it be placed upon the seller or upon the purchaser.

By the bill the tax is placed upon the purchaser. Although the seller is required to guarantee, collect, account for, and pay it, he is also required to add it to the price of the article

sold and may not assume or absorb or refund it. The duty thus devolved upon him to act as the collector of the tax without adequate compensation for the service a majority of us believe would be in derogation of due process as a confiscatory deprivation of his rights of equality. It would not be a service incidental to the ascertainment of his own taxes.

The situation is not parallel with that of distributors of gasolene and other motor fuels, who are required to pay the tax thereon although it is in finality a tax against the ultimate consumer. Such distributors must be licensed (P. L., *c.* 104, *s.* 1), and their duty to pay the tax is therefore a term of the license.

The bill has been drawn with House Bill No. 386 relating to an income tax in mind as accompanying legislation. There is some indication that the tax is placed by the bill upon the purchaser under the influence of the view expressed in *Opinion of the Justices, supra,* 577, to the effect that a tax upon sales would bar one "upon the sales profits of the same class of taxpayers". We believe the view is erroneous.

The reason assigned was an assumed result of double taxation. Our consideration reaches an opposite conclusion. An income tax upon sales profits is upon the amount of the excess of receipts over expenses. A sales tax, like any other expense of business, is reflected in the net profits by a reduction therefrom. No part of the profits includes any part of the tax. The incidence of transmission of property in a sale is unrelated to that of income. "The income tax is a levy upon the receipts of property. It involves a different kind of taxability, and is to be treated distinct from the estate tax." *Opinion of the Justices,* 82 N. H. 561, 568. Likewise, it is not a form of a sales tax, and connection by which it depends upon or relates to a sales tax is not perceived. Income may be produced through the use of property taxed. In like manner it may come

from sales taxed. In either event the tax on income is not invalidated.

In the ordinary conduct of business a sales tax charged to the retailer is passed along to the purchaser by an increase of the price of the article sold. That being done, sales profits are unaffected. From the standpoint of income a sales tax is an item of cost like the stock in trade tax or any other tax the burden of which the seller's business bears.

It is accordingly our conclusion that although both sales profits taxes, as a form or part of an income tax, and sales taxes are levied on property, the events or incidences required for their imposition are unrelated and lead to no duplication of taxation in the constitutional sense.

If the bill were redrafted so as to place the tax on the retailer, the objectionable feature of his status as a tax-collector would be eliminated.

Section 16 of the bill provides for an entitled arbitrary assessment. One in fact arbitrary may not be sustained, and the information on which any assessment is based should be reliable and in the commission's judgment provably true.

Section 22 vests the commission with authority to demand information from the retailer of about every conceivable sort and to search his place of business. The section will be construed to authorize no unreasonable searches (Constn., Pt. I, *Art.* 19) and to require no one to furnish evidence against himself tending to show guilt of crime or offense. (Constn., Pt. I, *Art.* 15).

2. The exemptions of sales of gas, water and electricity when delivered by conduit or wire may be properly made. The element of service is involved in all of them, as is also their subjection to special public regulations of price. Except as furnished by the public they are supplied by utilities. The public interest that their prices be reasonable is a just reason for their classification as exemptions.

The exemption of gasolene and other motor fuels already taxed by the state appears to be required as well as proper. The present tax upon them is not a sales tax, but a charge for their use in motor vehicle highway travel. *Tirrell* v. *Johnston,* 86 N. H. 530, 536. The state's interest is to obtain "a uniform return from the use of its highways". *Ib.,* 537. But if the charge in legal definition is a toll and not a sales tax, it has practical equivalence with a sales tax. Although the distributor is the party directly liable to pay the charge, he is required to add it to his price and pass it along to the retailer who in turn must collect from the consumer. Whatever the difference in methods of computation between the charge and the sales tax, the consumer pays according to the amount he buys. The event of transmission of property is the same for both forms of tax. It would therefore be a violation of the principle of equality to levy a sales tax on the transaction in addition to the charge for highway use.

3. The adoption of a tax rate differing from the average rate throughout the state is proper. Our differences of opinion upon the propriety of a special rate for an income tax do not extend to that for a sales tax. This tax is regarded by all of us as one which cannot be correlated and made uniform with the average of the general property tax. It is paid before the average rate can be ascertained, and disproportion is inevitable. And a majority of us believe that the special rate is also sustainable on the grounds for the validity of a special rate for an income tax which a majority of the court expressed in *Opinion of the Justices,* 82 N. H. 561.

4. Our answer to this inquiry is to be found in our subsequent discussion of House Bill No. 387, relating to the property tax reduction fund. The proceeds of the sales tax, by the bill providing for it, are to be a part of that fund, and your inquiry 9 is directed to the validity of the bill providing therefor.

Your inquiries 5 to 8 inclusive pertain to House Bill No. 386, relating to taxation of incomes.

5. In its general plan and program we find no unauthorized exercise of the taxing power. The subject of income taxes was dealt with in *Opinion of the Justices,* 82 N. H. 561, 570 *et seq.,* and in *Opinion of the Justices,* 84 N. H. 559, 571-574. In the theory and view there taken of their nature and character as a form of a property tax based on elements other than of ownership, possession or enjoyment, we concur. In some specified details or applications of the bill objection on constitutional grounds may perhaps be well taken. Such an outcome would not invalidate the act in its entirety if its general purpose can still be given effect. *Opinion of the Justices,* 76 N. H. 601, 605.

In respect to certain details, by section 5 income from rents is a taxable item. We think the rents must be only those derived from property within the state. *Opinion of the Justices,* 84 N. H. 559, 573.

By section 5 (f) pensions and retirement allowances are deductible from gross income. Except so far as they are non-taxable by force of the federal constitution, their deduction presents a serious question of disproportion. Retirement allowances, as deferred payments for services, seem particularly subject to the objection. A majority of us see no proper ground for their special classification as exemptions.

Section 11 relates to corporate income. In our opinion that of unincorporated bodies should be included within its terms and treated in the same manner.

We note the authority of the tax commission, by section 27, to require the production of writings. What we have said concerning the commission's similar authority in the administration of the sales tax is applicable to this section.

By section 33 a tax may be levied against one who has removed from the state during an income year. Such re-

moval would spell the loss of the state's jurisdiction over him personally, and unless the tax in such case is made as a charge and lien against his property in the state at the time of the assessment, we think it would be void.

6. A majority of our number agree with the conclusion of a majority of the justices in *Opinion of the Justices,* 82 N. H. 561, 566-569, that a special tax rate laid on incomes differing from the average tax rate in the state is proper.

7. The bill proposes that the proceeds of the tax be distributed according to House Bill No. 387, relating to the property tax reduction fund. Our answer to this inquiry will be found in our later discussion of that bill.

8. In *Opinion of the Justices,* 84 N. H. 559, 571, the members of the court expressed this view: "The ground upon which a substantial quantitative personal exemption is here sustained is that the exempted party is too poor to pay. It does not seem to us that a person having an income of $2,000 can be said to be so poor that he ought not to share the expense of government with his fellow citizens, so far as the excess of his income over $2,000 is concerned. As to that excess, he cannot justly be considered to be entitled to public charity. He is not so poor that his normal tax upon that excess ought to be abated because of his poverty . . . .

". . . we are of opinion that an exemption of $1,200 to a single person without dependents is as large as could in reason be thought to be valid under the principle limiting the exercise of this power. We also think that reasonable men might conclude that the principle would permit a larger exemption for those with families or dependents, but that this idea cannot be used to raise the largest exemption to a sum exceeding $2,000."

Subject to the possible exception of additional reasonable allowance according to the number of dependents, we hold the same opinion.

9. The provisions of House Bill No. 387 appear to be within constitutional permission, with slight qualification.

The right of the state to use revenue derived from taxation in relief of pauperism is undoubted.

In *Opinion of the Justices,* 84 N. H. 559, 577-582, thorough and thoughtful consideration was given to the question of the propriety of payments by the state to towns and cities to compensate them for the loss of tax revenue through the legislature's classification of certain kinds of property as non-taxable. With the reasoning and views then elaborated we agree. Accordingly, the proposed payments to towns and cities to replace the loss of revenue by reason of a repeal of the law taxing live stock and stock in trade are deemed to be within constitutional authority of the legislature.

Whether a town or city suffering from an overburdensome tax rate may be aided for that reason, provided it has prudently managed its affairs, is more doubtful. But our view is that so far as any of its tax revenue is used to meet the charges of public matters assigned to it by the legislature to perform, in distinction from those of a strictly local nature, the aid may be extended.

It is in the constitutional philosophy of our state that "economy is a most essential virtue in all states" (Constn., Pt. I, *Art.* 36), and the state's interest to encourage, foster and secure efficiency and economy in local government is as said in *Opinion of the Justices,* 84 N. H. 559, 580: a proper public purpose. *Amyot* v. *Caron,* 88 N. H. —— ". . . state aid to relieve the burdens put upon some towns and not upon others, or put upon towns in differing degree or amount, may be granted by the legislature. If the burden put upon the town is one the legislature may rightfully impose, relief therefrom by an appropriation of state funds is permissible." Relief from the burden of highway maintenance, the maintenance being a public rather than local undertaking of government, may therefore be extended

to a hard pressed town or city. Generally, if state relief lessens the local expense of administering a function of the state government, it is proper. But unless such an expense is incurred, the aid would seem to disregard the rule of equality. The legislature has no taxing power to raise state money, or to require a town or city to raise money, to aid another town or city unless the aid is in some degree of benefit to the state or municipality extending it. *Keene v. Roxbury,* 81 N. H. 332, 334; *Opinion of the Justices,* 84 N. H. 559, 579. It is therefore our view that section 11 of the bill may not become valid law without the qualification that the aid be applied towards matters of state interest assigned to the town or city to administer.

The denial of aid to a town or city unless its affairs have been conducted prudently is not thought to be unduly discriminative. The state's interest in local prudence justifies the condition.

10. In respect to House Bill No. 388 a majority of us perceive no constitutional conflict with section 1. As heretofore stated, in *Opinion of the Justices,* 82 N. H. 561, a majority of the justices advanced their view that a specially fixed rate of taxation on incomes would be valid, and a majority of us are in accord with that view.

While the state collects it, the tax is local. By the existing law (P. L., *c.* 65, *s.* 31) its proceeds are distributed in such manner that a town or city receives all the tax which its residents pay, less its share of the collection expense. The variations in local tax rates among the towns and cities lead to a higher or lower rate than the rate for this tax in nearly all instances. The result is that the taxpayers of a town or city pay taxes at different rates according to the nature of the tax. A majority of us think this circumstance does not constitute inequality or disproportion. "The public charges of government" (Constn., Pt. II, *Art.* 6) which may be raised by taxation include local as well as state

expense, and local taxes are controlled by the same constitutional principles with which state taxes must be in conformity. If the tax were collected locally, it would be as valid as when the state collects it.

Sections 2 and 3 present a point of serious doubt, in respect to dividends of an incorporated or unincorporated body. They provide that if their net income becomes taxable by the state, there shall be no tax on dividends they pay if their earnings are derived principally from business within the state. We assume that it is meant that if more than half the earnings are derived from local business, they are principally so gained, and otherwise not. It follows that if the local earnings of such a body do not exceed half the entire earnings, all the dividends paid by it will be taxed, while if the local earnings of another such body are more than half its entire earnings, even slightly so, its dividends will not be taxable. We see no just ground for such a classification and the principle of equality appears to be disregarded.

In *Conner* v. *State,* 82 N. H. 126, the exemption of corporations from paying a tax on dividends it received was justified on the ground that if they were taxed on them, stockholders taxed on dividends received from a corporation whose income was thus acquired would be doubly taxed. The double taxation is no less when the corporation's dividends are paid out of its business earnings. This was the view of the justices in *Opinion of the Justices,* 84 N. H. 559, 573. We think the new exemption proposed by the bill should be modified so that only dividends or parts of them attributable to local earnings shall be tax exempt when such earnings are taxed.

Also, in respect to unincorporated bodies, an improper discrimination appears to be made in the taxation of dividends paid by them when they are taxed on their local business. By the bill the dividends of an unincorporated local body are not taxable when its earnings are locally

taxed, while those of one not local are. This difference should be eliminated, and there should be uniformity in this matter as between incorporated and unincorporated bodies.

The provisions of the bill for exemptions and abatement are considered valid. The reasons justifying exemptions from other kinds of income may be invoked to support them.

11. We see no constitutional objection to different uses of tax revenue from different taxes. So long as the use is a proper one, allocation to a particular use of a part or all of a general or special tax is in the legislative discretion.

12. House Bill No. 389 relates to the taxation of legacies and successions. No ground upon which its enactment into law can be questioned as unconstitutional occurs to us.

13. We believe that an exemption of a fixed and more than nominal amount of the value of all estates from the tax on legacies and successions, if adopted as an amendment to House Bill No. 389, would be void. We assume that by value is meant value available for distributees. The exemption would amount to no taxation of a part of the distribution. If a part of a legacy or succession is taxed, all of it must be. A difference in value or amount is not a ground for classification unless there is a just reason for it. *Opinion of the Justices,* 82 N. H. 570, 575. No reason which may be regarded as just is perceived.

The operation of the exemption would lead to arbitrary benefits and burdens. If there were only one distributee, he would have an exemption wholly out of proportion to that of a number of distributees in another estate. And in one estate a distributee receiving a sum or share equal to the amount of the exemption would be taxed if the value of the estate were large enough to make the exemption inapplicable to such sum or share, in contrast with a distributee of an estate limited in value to the amount of the exemption. A haphazard inequality thus results. The ex-

emption is so closely akin to a case of disproportion that any distinction seems untenable.

If the amount of the exemption were taxed at some rate different than that for the unexcepted part of the distribution, the invalidity would be equally clear. It would be a part of a progressive tax, which cannot be levied. *Williams* v. *State,* 81 N. H. 341. To wholly exempt a part and to place one rate on it while subjecting the remainder to a higher rate, stand alike, in respect to legacy and succession taxes. Reason for exemptions of amount in income and other taxes as discussed in *Opinion of the Justices,* 82 N. H. 561, 570-575, here fail.

14. In our opinion House Bill No. 390 proposing to classify live stock and the stock in trade of retailers, mechanics and manufacturers as non-taxable calls for no authorized exercise of legislative power. The aid to farming and industry to be furnished by excepting such property from taxation tends to further the state's general welfare, and a just reason thus supports the bill as a protective measure. *Opinion of the Justices,* 82 N. H. 561, 573; *Opinion of the Justices,* 87 N. H. 490.

JOHN E. ALLEN,
THOMAS L. MARBLE,
OLIVER W. BRANCH,
PETER WOODBURY,
ELWIN L. PAGE.

March 1, 1937.

The following opinion was received from the Supreme Court as to the constitutionality of House Bill No. 380, An act to restore an adequate supply of proper milk.

OPINION OF THE SUPREME COURT AS TO THE CONSTITUTIONALITY OF HOUSE BILL NO. 380, AN ACT TO INSURE AN ADEQUATE SUPPLY OF PROPER MILK.

To the House of Representatives:

The justices of the supreme court make the following answer to the inquiry contained in your resolution of February 10, concerning the constitutionality of House Bill No. 380.

The bill provides for the appointment of a Milk Control Board of three members, who "shall have power to supervise, regulate and control the production, distribution and sale of milk within the state," to designate marketing areas and to "fix the just and reasonable minimum and maximum prices" of milk when certain conditions are found to exist.

So far as sections 5 and 10 of the act purport to confer upon the board general authority to regulate and control the milk industry they are invalid as comprising an unrestricted delegation of legislative power. *Ferretti* v. *Jackson,* 188 Atl. Rep. 474. The same is true of section 13, which relates to conferences and agreements with legally constituted boards of other states.

We find nothing unconstitutional, however, in the provisions of section 6. The "policy and standard of action have been announced with adequate completeness" (*Ferretti* v. *Jackson, supra*); the power of the board to establish prices is dependent on the prevalence of an economic condition injurious to public health in a definite marketing area, and the existence of this condition in such area must first be found as a fact after public notice and hearing; the prices fixed by the board are not permanent but may be changed when the public interest so demands.

"Under our form of government the use of property and the making of contracts are normally matters of private and not of public concern. The general rule is that both shall be free of governmental interference." *Nebbia* v. *New York,* 291 U. S. 502, 523. But many decisions "show that

the private character of a business does not necessarily remove it from the realm of regulation of charges or prices." *Ib.*, 535.

"If the law-making body within its sphere of government concludes that the conditions or practices in an industry make unrestricted competition an inadequate safeguard of the consumer's interests, produce waste harmful to the public, threaten ultimately to cut off the supply of a commodity needed by the public, or portend the destruction of the industry itself, appropriate statutes passed in an honest effort to correct the threatened consequences may not be set aside because the regulation adopted fixes prices reasonably deemed by the legislature to be fair to those engaged in the industry and to the consuming public." *Ib.*, 538.

Sections 14 and 33 inclusive relate to the method of procedure on appeals from orders or decisions of the board. These sections are obviously patterned after the corresponding provisions of chapter 239 of the Public Laws and are valid.

The license fees established by section 8 do not exceed the probable expense of issuing the licenses and of inspecting and regulating the business licensed. *State* v. *Angelo*, 71 N. H. 224, 229. The fact that a milk dealer must take out a license under the provisions of chapter 163 of the Public Laws does not deprive the Legislature of authority to require him to take out another license if he does business in a designated marketing area where prices have been fixed by the board. 17 R. C. L. 560, 561. We entertain some doubt, however, as to the reasonableness of the provision which specifices two quarts as the maximum amount of milk that a distributor may sell daily in the marketing area without license.

That part of section 9 which authorizes any member of the board to examine all the books and records of a distributor is understood to refer to such books and records as the

board may reasonably require the distributor to keep. The granting of any wider authority would be questionable.

It is our opinion that the act, except in the respects indicated, does not violate any provision of the state constitution.

JOHN E. ALLEN,
THOMAS L. MARBLE,
OLIVER W. BRANCH,
PETER WOODBURY,
ELWIN L. PAGE.

March 1, 1937.

On motion of Mr. Sanborn of Wakefield the Clerk was directed to procure 1000 printed copies of the opinion.

SPECIAL ORDER

Mr. Molloy of Nashua called for a special order for House Bill No. 290, An act increasing the fees for permits to sell beverages.

Reported from the Committee on Ways and Means with the resolution that it is inexpedient to legislate.

Mr. Molloy of Nashua moved that the bill ought to pass with the following amendment:

Amend by striking out section 1 and inserting in place thereof the following:

Sect. 1. Amend chapter 149 of the Laws of 1935 by striking out the word "two"' in the fifth line and inserting in place thereof the word "one" so that said section as amended shall read as follows:

Sect. 21-a. *Additional Fees.* In addition to the fees provided for in section 21 the following additional fees shall be required for permits issued. For each off-sale or on-sale permit one dollar for every barrel of beverages containing not more than thirty-one gallons or the equivalent thereof sold by the permittee and to be paid on or before the tenth day of each month to the commission for beverages sold by the permittee during the preceding calendar

month. Each holder of an on-sale permit, at the time of filing the report required by section 25 and paying the part of the permit fee which shall be due at time of filing said report as provided in section 21, shall also pay that part of the permit fee which shall be due at the time as provided in this section.

Sect. 2. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

(Discussion ensued)

Messrs. Molloy of Nashua, Blaisdell of Dover, James of Nashua and Mrs. Brungot of Berlin spoke in favor of the amendment, Messrs. Sanborn of Wakefield, Wylie of Concord, Dickinson of Danville, Mudge of Northwood, Coakley of Concord, and Dickinson of Rochester spoke againust the amendment.

Mr. Jones of Lebanon offered the following amendment:

Amend the proposed amendment to Chapter 149 of the Laws of 1935 by striking out section 2 of said amendment and inserting in place thereof the following section. Section 2. Amend section 16 of Chapter 3 of the Laws of the Special Session of 1934, as amended by Chapter 22 of the Laws of 1935, by adding thereto the following new section: "16a. There is hereby imposed for the general purposes of the State Government an additional charge on the gross sales of all liquor sold by the State Liquor Commission to be collected by including in the sales price stamped on each package of liquor sold an additional five cents for each dollar and one-half or fractional part thereof of the sales price fixed under section 16. The State Liquor Commission is hereby directed to maintain, exclusive of the additional charge herein provided, an additional charge, as provided by section 16, sufficient to assure a gross profit of not less than the average gross profit on sales now in effect," so that said amendment, as amended, shall read as follow:

Section 1. Amend Chapter 149 of the Laws of 1935 by

striking out the word "two" in the fifth line and inserting in place thereof the word "one" so that said section as amended shall read as follows: Section 21-a. *Additional Fees.* In addition to the fees provided for in section 21 the following additional fees shall be required for permits issued: For each off-sale or on-sale permit one dollar for every barrel of beverages containing not more than thirty-one gallons or the equivalent thereof sold by the permittee and to be paid on or before the tenth day of each month to the commission for beverages sold by the permittee during the preceding calendar month. Each holder of an on-sale or off-sale permit, at the time of filing the report required by section 25 and paying the part of the permit fee which shall be due at the time of filing said report as provided in section 21, shall also pay that part of the permit fee which shall be due at the time as provided in this section.

Section 2. Amend section 16 of Chapter 3 of the Laws of the special session of 1934, as amended by chapter 22 of the Laws of 1935, by adding thereto the following new section: Section 16-a. There is hereby imposed for the general purposes of the state government an additional charge on the gross sales of all liquor sold by the State Liquor Commission to be collected by including in the sales price stamped on each package of liquor sold an additional five cents for each dollar and one-half or fractional part thereof of the sales price fixed under section 16. The State Liquor Commission is hereby directed to maintain, exclusive of the additional charge herein provided, an additional charge, as provided by section 16, sufficient to assure a gross profit of not less than the average gross profit on sales now in effect.

Sect. 3. This act shall take effect upon its passage.

POINT OF ORDER

Mr. Barnard of Manchester rose to a point of order that the amendment offered was not germane to the pending amendment.

The Speaker ruled the point well taken.

Mr. Dickinson of Rochester moved that the bill with the pending amendment be indefinitely postponed.

The question being on the motion of Mr. Dickinson.

Mr. Molloy of Nashua demanded the ayes and nays, but subsequently withdrew his motion and asked for a division.

A division being taken 211 members voted in the affirmative, and 134 members voted in the negative, and the motion prevailed.

Mr. Courtemanche of Allenstown demanded the ayes and nays and the roll was called with the following result:

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ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Hepworth, Pillsbury, Merrill of Exeter, Scammon, Tozier, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Mudge, Fernald, Palmer of Plaistow, Pray, Badger, Gile, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, Chabot, Caswell, Lucas, Blanchard, Caldwell, Whitehouse, Longley, Jenkins, Berry, Dustin, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, O'Shan, Tarlson, Hoyt of Laconia, Tilton of Ward 4, Laconia, Sanders, Martin, Small, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Churchill, Day, Head, Huntress, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Coakley, Stearns of Concord, Kemp, Baker, Boutwell, Mansur, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Matson, Maxham, Wiley, Ahern, Nutter of Epsom, Piper, Rowe, Fowler, Johnson of Hooksett, Ball, Merrill of Loudon, Lovely, Carr, Perkins of Pittsfield, Sanderson, Hill.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Avery,

Pattee, Reynolds, Stearns of Hancock, Boynton, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Cullen, Maker, Foster, Wadleigh, Cooper, Winslow of Nashua, Armington, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Jones of Keene, Gates, Hilton, Spaulding, Duffy, Hemenway, Tolman, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, Granger, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Etsler, Hosking, Howe, Putnam of Claremont, Quimby, Sheehan, Thomas, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers, Osborne.

GRAFTON COUNTY: Plumer, Davis, Hammond, Remick of Bristol, Graham, Walbridge, Remick of Groton, Tuxbury, Bailey of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Sliney, Collins, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth ,Sawyer of Woodstock.

COOS COUNTY: Snodgrass, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Parker, Thompson of Lancaster, Fogg of Milan, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

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ROCKINGHAM COUNTY: Dagan, Havican, Burbank of Derry, Fecteau, Beede, Rousseau, Turcotte of Newmarket, Barrett of Portsmouth, Dondero, Kittredge, Gray, Yeaton, Canty, Cogan, Rose, Marston, Peever, Drowne.

STRAFFORD COUNTY: Durkin, Blaisdell, McDonough, Colby, Cartier, Bergeron, Turcotte of Rochester, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Guay, Cantin, Dickson of Laconia.

CARROLL COUNTY: Downs, Mudgett, Quint.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Rivet, Sharaf, Donovan, Carignan, Dempsey, Douphinett, Dupont, Mock.

HILLSBOROUGH COUNTY: Charois, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Clougherty, Corey, Sullivan of Ward 4, Manchester, Betley, Healy, Lacroix, Mahoney, O'Brien, Sweeney of Ward 5, Manchester, Connelly, Arthur J. Ward 6, Manchester, Connelly, Paul J. Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Walsh, Driscoll, Hayes of Manchester, Lareau, Gaudreault, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron, Desruisseaux, Letendre, Soucy, Boisvert, Lariviere, Lesmerises, St. Germain, Duclos, Bernard, Dube, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney.

CHESHIRE COUNTY: Park, Barrett of Troy.

SULLIVAN COUNTY: Daly, Kempton, Cram.

GRAFTON COUNTY: Goodwin, Madden.

COOS COUNTY: Barden, Mason, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Bixby, Dugas, Dutil, Myler, Seymour, Chandler of Gorham, Johnson of Northumberland, Marshall.

And the motion prevailed.

On motion of Mr. Tilton of Ward 4, Laconia, at 1:47 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

VOTES RESCINDED

On motion of Mr. Barnard of Manchester the votes whereby the House passed Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings, and Senate Bill No. 41, An act relating to standards for the sale of coal and coke were rescinded.

On motion of the same member the above bills were put back upon their second reading and recommitted to the Committee on the Revision of the Statutes.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by the titles made in order.

House Bill No. 53, An act relating to legacy receipts.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignments.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Senate Bill No. 42, An act relating to the land use board.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Kelley of Manchester at 3:15 o'clock the House adjourned.

WEDNESDAY, MARCH 3, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Fowler of Hill was excused for the day on account of illness.

Mr. Dubuque of Lebanon was excused for the remainder of the week on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 24, An act relative to closing North River lake in the towns of Northwood, Nottingham and Barrington to ice fishing.

The report was accepted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 180, An act relating to garage records and records of public parking places, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass..

Amend said bill by adding the following section:

2. This act shall take effect May 1, 1937.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 393, An act relating to the issue of bonds by the county of Belknap,

reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 402, An act creating a probation department, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 403, An act relating to deposits by state treasurer, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 404, An act relating to neglected and delinquent children, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 405, An act relative to information to be reported by registers of deeds to selectmen and assessors, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 406, An act in relation to tax collectors, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred House Bill No. 396, An act relating to hours of labor for women and minors, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the words "and mercantile" in line 3 and by striking out the word and figure "16" in line 5 so that said section as amended shall read as follows:

2. *Exceptions.* Amend chapter 176 of the Public Laws by inserting after section 17 the following new section: 17a. *Special License.* Manufacturing establishments may be granted special license by the labor commissioner excepting them from the operation of the provisions of sections 14 and 15 hereof for not over eight weeks in any six-month period, but in no case shall the hours of labor exceed ten and one-quarter hours in any one day or fifty-four hours in any one week. Before granting such license a hearing shall be held by the labor commissioner and he shall be satisfied that such overtime is necessary. Copy of such license shall be posted in a conspicuous place in every room where such females and minors are employed.

Amend section 3 of said bill by striking out the words "upon its passage" in line 1 and inserting in place thereof the words, sixty days after its passage, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect sixty days after its passage.

The report was accepted.

The question being on the amendments.

(Discussion ensued)

On a *viva voce* vote the amendments were adopted.

Mr. McDonough of Dover asked for a division.

A division being taken 263 members voted in the affirmative, and 29 members voted in the negative and the amendments were adopted.

Mr. McDonough of Dover moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

Mr. McDonough of Dover asked for a division.

A division being taken 141 members voted in the affirmative and 178 members voted in the negative, and the motion did not prevail.

Mr. Dwyer of Manchester moved that the bill be recommitted to the Committee on Labor.

On a *viva voce* vote the motion did not prevail.

Mr. Dwyer asked for a division.

A division being taken, 58 members voted in the affirmative and 213 members voted in the negative, and the motion did not prevail.

Mr. Lanyon of Hanover offered the following amendment:

Amend section 1 of said bill by adding at the end thereof the following:

No females or minors under 18 years of age employed in hotels, cabins and boarding houses shall be permitted to work more than sixty hours per week, or more than fourteen hours in any one day, so that said section as amended shall read as follows:

1. *Hours of Labor.* Amend section 14, chapter 176, Public Laws by striking out the whole thereof and substituting therefor the following: 14. *Females, Minors.* No female, or minor under eighteen years of age, shall be employed or permitted to work at manual or mechanical labor in any manufacturing establishment more than ten hours in any one day, or more than forty-eight hours in any one

week. No female, or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor in any other employment, except household labor and nursing, domestic hotel, cabin and boarding house labor, operating in telegraph and telephone offices and farm labor, more than ten and one-quarter hours in any one day, or more than fifty-four hours in any one week. No females or minors under 18 years of age employed in hotels, cabins and boarding houses shall be permitted to work more than sixty hours in any one week, or more than fourteen hours in any one day.

The question being on the amendment.

(Discussion ensued)

Mr. Lanyon of Hanover spoke in favor of the amendment, Messrs. Smith of Haverhill and Seymour of Carroll spoke against the amendment.

On motion of Mr. Jones of Lebanon the bill with the accompanying amendment was laid upon the table and made a special order for Wednesday, March 10 at 11:02 o'clock.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 297, An act relating to municipal finances, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 280, An act authorizing cities and towns to insure their drivers of motor vehicles, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Mr. Lucas of Dover moved that the words "ought to pass" be substituted for the words "inexpedient to legislate"

and with this motion pending moved that the bill and report be laid upon the table and made a special order for Wednesday, March 10, at 11:03 o'clock.

The question being on the motion of Mr. Lucas.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

On a *viva voce* vote the resolution reported by the Committee was adopted.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 109, An act providing for special on-sale permits for the sale of alcoholic beverages for the summer months, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 189, An act limiting "on-sale" beer licenses, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 373, An act repealing the laws relating to horse racing, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 153, An act relating to the tax on pari mutuel pools, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Varney of Rochester, from the County of Strafford, to whom was referred House Bill No. 247, An act relating to the register of deeds for Strafford county, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Special Committee, consisting of the delegation from the county of Strafford, to whom was referred House Bill No. 247, An act relating to the register of deeds for Strafford county, being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

DENNIS McDONOUGH,
HAROLD F. BLAISDELL,
PATRICK J. DURKIN,
MILES H. DUSTIN,
FRANK I. CALDWELL,
MAITLAND J. BERRY,
SPENCER DICKINSON,
GEORGE W. GARLAND,
ERNEST L. LUCAS,
CLIFTON R. HAYES,
A Minority of the Committee.

Mr. McDonough of Dover moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Thursday, March 11, at 11:01 o'clock.

The question being on the motion of Mr. McDonough of Dover.

(Discussion ensued as to time)

On a *viva voce* vote the motion did not prevail.

Mr. McDonough asked for a division.

A division being taken 98 members voted in the affirmative and 168 members voted in the negative and the motion did not prevail.

Mr. McDonough moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. McDonough.

(Discussion ensued)

Messrs. McDonough of Dover and Wylie of Concord spoke in favor of the motion. Messrs. Tilton of Ward 4, Laconia, McCooey of Dover, Sanderson of Pittsfield and Etsler of Claremont spoke against the motion.

Mr. Etsler of Claremont moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. McDonough of Dover.

On a *viva voce* vote the motion did not prevail.

Mr. McDonough of Dover asked for a division.

A division being taken 103 members voted in the affirmative and 143 members voted in the negative and two-thirds of the members elected not being present and two-thirds of those present and voting not having voted either in the affirmative or the negative no valid action was taken and the bill went over into unfinished business.

On motion of Mr. Hoyt of Sandwich at 1:45 o'clock the House took a recess until 2:50 o'clock.

(After recess)

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No 27, An act relative to the board of public works of the city of Concord

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 17, An act relating to inspectors of elections.

Senate Bill No. 24, An act relative to closing North River Lake in the towns of Northwood, Nottingham, and Barrington to ice fishing.

The message also announced the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 220, An act relating to the incorporation of insurance companies.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Amendments to Charter or Articles of Incorporation.* Amend section 8 of said chapter 272 by striking out the whole thereof and inserting in place thereof the following: 8. *Certification.* All proposed amendments, duly certified to by the president and secretary of such company, shall be submitted to the commissioner and to the attorney-general or assistant attorney-general for their examination and endorsement of approval in the same manner as provided by this chapter as to the original articles of agreement. Copies of all documents required by this section to be submitted to the commissioner shall be filed with him.

On motion of Mr. Varney of Rochester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

Amend section 1 of the bill by inserting after the word "fraction" in the second and also in the eleventh lines the word, thereof, by inserting after the word "read" in the fifth line the words, as follows, and by inserting after the word "made" in the sixth line the words, to the board.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect; Interim Licenses.* This act shall take effect on January 1, 1938, provided that any license which may be renewed or issued during the period from the passage of this act and the effective date hereof shall expire on January 1, 1938, unless sooner suspended for cause and the fee for such license shall be such proportionate part of ten dollars as the period covered by the license bears to a full year.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

SPECIAL ORDER

Mr. Hoyt of Sandwich called for the special order, House Bill No. 262, An act to strengthen the law relating to standard time.

Reported from the Committee on Revision of the Statutes, with the resolution that it is inexpedient to legislate.

A minority of the committee reported that the bill ought to pass.

The question being,

Shall the report of the minority be substituted for the report of the majority?

(Discussion ensued)

Messrs. Perley of Lebanon, Palmer of Plaistow, Barnard

of Manchester, and Tenney of Chester spoke against the motion. Messrs. Perkins of Pittsfield, Danforth of Acworth, Remick of Bristol and Hoyt of Sandwich spoke in favor of the motion.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 88 members voted in the affirmative and 204 members voted in the negative, and the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Osborne of Sunapee at 3:30 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 180, An act relating to garage records and records of public parking places.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Bixby of Berlin at 3:35 o'clock the House adjourned.

THURSDAY, MARCH 4, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Hoyt of Laconia was granted leave of absence for the day on account of important business.

Mr. Pulsifer of Campton was granted leave of absence for the day on account of attending a funeral.

COMMITTEE REPORTS

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in line 1 the following: "fifty-seven dollars and sixty cents ($57.60)" and substituting therefor the following, sixty-six dollars and sixty-seven cents ($66.67), so that said joint resolution as amended shall read as follows:

That the sum of sixty-six dollars and sixty-seven cents ($66.67) be and hereby is appropriated to compensate Walter Taylor of the town of Thornton for accidental injuries suffered while building a state aid road in the town of Waterville. An additional sum of thirty-six dollars ($36) is likewise appropriated to be paid as follows: Plymouth Memorial Hospital, eleven dollars ($11); Dr. R. P. Middleton of Plymouth, twenty-five dolllars ($25); said bills having been contracted by said Walter Taylor in said accident. Said sums herein before appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, reported the same with the following amendment, and the

recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in line 1 the following: "three thousand dollars ($3,000)" and substituting therefor the following, two thousand four hundred eighty dollars ($2,480), so that said joint resolution as amended shall read as follows:

That the sum of two thousand four hundred and eighty dollars ($2,480) be and the same is hereby appropriated for a death benefit in favor of Minnie Dolloff and daughter, Donna Dolloff, a minor, of Thornton, being a settlement in full for the death of Edwin Dolloff of the town of Thornton who died as a result of an accident while building a state aid road in the town of Waterville. An additional sum of ninety-six dollars ($96) is likewise appropriated to be paid as follows: Plymouth Memorial Hospital, forty-six dollars ($46); Dr. R. P. Middleton of Plymouth, fifty dollars ($50); said bills having been contracted in the fatal illness of said Edwin Dolloff. Said sums herein appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 69, An act relating to fur-bearing animals, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 1 of chapter 200 of the Public Laws as amended by section 4, chapter 124 of the Laws of 1935, by striking out in line 2 all after the words "from" and inserting in place thereof the following, October twentieth to February first in the counties of Coos and Grafton and

from November first to February first in all other counties, so that said section as amended shall read as follows:

1. *Taking.* Otter, mink, skunk or muskrat may be taken and possessed from October twentieth to February first in the counties of Coos and Grafton and from November first to February first in all other counties.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 192, An act relating to wages, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Improvements, to whom was referred House Bill No. 399, An act relative to acceptance of certain federal aid road acts, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 195, An act relative to weights and measures, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rogers of Plainfield, for the Committee on Agricul-

ture, to whom was referred House Bill No. 367, An act relating to the protection of wild honey bees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 72, Joint resolution in favor of Paul E. Bourque, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 81, Joint resolution in favor of Clarence Boeuf, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 94, An act relating to license fees for hunting and fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 351, An act relating to the taking of fox and raccoons by the use of traps, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisher-

ies and Game, to whom was referred House Bill No. 67, An act relating to fish and game licenses for married women, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 236, An act relating to non-resident hunting, fishing and trapping licenses, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 284, An act relating to motor vehicles owned by the state, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 263, An act relating to plumbing and the licensing of plumbers, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 287, An act in relation to licensing painters, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on

Judiciary, to whom was referred House Bill No. 342, An act providing for licensing of persons engaged in motor vehicle repair and/or maintenance business, reported the same with the following resolution:

Resolved, that it is iexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Estabrook of Alstead for the Committee on Military Affairs, to whom was referred House Joint Resolution No. 104, Joint resolution to provide for the purchase of certain land adjoining the state armory in Berlin, reported the same with the following resoluton:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Transportation, to whom was referred House Bill No. 337, An act relating to the operation of motor trucks transporting fuels at railroad crossings, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Estabrook of Alstead for the special committee consisting of the Delegation from the County of Cheshire, to whom was referred House Bill No. 335, An act regarding the compensation of county commissioners, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Estabrook of Alstead offered the following amendments: amend the bill by striking out the words "seven hundred fifty dollars" after the word "Grafton" and inserting in place thereof the words "ten hundred dollars."

No action was taken on the amendment.

Mr. Dickinson of Rochester offered the following amendment:

Amend section 2 of said bill by striking out all of said section and inserting in place thereof the words "this act shall take effect January 1, 1939."

No action was taken on the amendment.

The Speaker ordered the bill with the pending amendments laid upon the table, meanwhile the amendments to be printed in the journal.

The special commission appointed to make a study of occupational disease presented the following report:

STATE OF NEW HAMPSHIRE

COMMISSION FOR THE STUDY OF OCCUPATIONAL DISEASES IN NEW HAMPSHIRE

His Excellency Francis P. Murphy, Governor and the Honorable General Court:

The Commission for the Study of Occupational Diseases in New Hampshire appointed by Governor H. Styles Bridges in compliance with Chapter 225 of the laws of 1935 (House Joint Resolution No. 144) respectfully submits the following report:

This Commission has investigated the incidence of occupational disease in the State together with the likelihood of occupational diseases developing in the industries now in existence in New Hampshire.

It has studied a large number of publications from National and State departments as well as those of semi-private Foundations and of individual authorities on the subject of industrial diseases.

The state departments of New York and of Massachusetts have been visited and considerable valuable data obtained therefrom. As a result of these studies and after full discussion your Commission has reached the following conclusions.

1. That occupational diseases in New Hampshire are absolutely and relatively rare although undoubtedly more

common than is indicated by any study that has as yet been made.

2. That the greater percentage of such diseases as now exist or potentially exist can be eliminated by more careful preventive measures.

3. That it is unwise at this time to set up a new agency for the handling of claims which would surely arise if legislation is now enacted providing for the coverage of industrial diseases in a manner similar to that at present obtaining for industrial accidents.

4. That a considerable number of conditions which are really diseases and not true accidents are now taken care of by insurance coverage as accidents, e. g. skin eruptions, acute gas poisoning, etc.

5. That before really intelligent legislation can be enacted for the equitable handling of occupational diseases a careful scientific study should be made of the specific problems presenting in New Hampshire.

6. That such a study can be carried out under the provisions of the Social Security Act. The office of Industrial Hygiene and Sanitation of the United States Public Health Service in co-operation with the Committee on Industrial Hygiene of the Conference of State and Provincial Health authorities is now doing such research in various states. The Senior Surgeon of the United States Public Health Service indicates that there is available for New Hampshire a sufficient amount of money from unallocated funds to make this survey. This would be carried out without expense to the State under the direction of the Departments of Labor and of Health.

Upon completion of this survey a report would be prepared for submission by these Departments to the Governor. All that is necessary to start this survey is a request from the Governor to the United States Public Health Service that it be carried out.

As a result of such a survey an engineer in the employ of the State but paid from funds allocated by the Federal Government would be in an excellent position to continue with a permanent preventive program on a co-operative basis with the State Labor Department. The Department of Labor would continue with its present functions of formulating rules and regulations for the control of health hazards in industry, and the enforcement of these rules and regulations. The Department of Labor would call on the Department of Health for service of a technical nature in connection with the administration of industrial health problems in the State. This procedure has been followed by these two agencies for many years. The addition of a trained industrial hygiene engineer to the Health Department would mean merely that the State Board of Health would be in a position to render more adequate service in this field of public health. The Commission recommends that the necessary request be made by the Governor.

Silicosis

It was considered that the subject of silicosis and its allied conditions was a matter for special study and separate legislation. In view of the extensive investigations which are now being made by the Government regarding silicosis and due to the expectation that much more accurate information will be forthcoming as a result of this study it was not considered wise at this time to recommend legislation covering compensation for cases of silicosis.

The Granite Industry which is our chief source of this condition in this State is in a rather precarious situation and the very heavy additional charge upon it for silicosis coverage would in almost every instance be fatal. In order be necessary to have some State fund to cover the cost of to properly meet an admittedly dangerous situation it would examinations of those exposed to the silicosis hazard. Such

examinations are of necessity expensive as they must include very careful X-ray studies in addition to searching physical examinations.

Silicosis is a disease of slow development and if the burden of compensation is placed upon the last employer prior to its manifestation in a great many instances it will be distinctly unequitable. No employer can afford to assume such risk unless an applicant for employment submits definite proof of his freedom from silicosis at the time of his employment. This obviously works also a distinct hardship upon the applicant employee.

It is felt that at the present time the most that can be accomplished is by further improvement in dust collectors and similar devices for reducing the hazard. Much has already been done in this line but there is still a large opportunity for improvement. At the single granite working plant which the Commission visited the dust hazard is under excellent control and is constantly being reduced. Your Commission believes that at present such prophylactic measures are better for all concerned than will be the institution of compensation legislation. It hopes and expects that within a few years this admittedly troublesome problem will be intelligently solved. Granite and similar workers should have coverage for the type of disease which is apt to develop as a result of their occupations but if this is instituted now it will mean a considerable number of men thrown out of employment and not unlikely the definite closing down of the granite cutting industry in New Hampshire.

From the standpoint of a fellow workman a case of silicosis is not a menace unless it has superimposed upon it an active tuberculosis. Such communicable cases should receive state care and be segregated from their uninfected associates.

This report must be regarded as one of progress rather

than final but it is believed by this Commission to outline what in its opinion is the wisest present course of procedure.

Respectfully submitted for Commission.

ROBERT J. GRAVES, *Chairman.*

STATE OF NEW HAMPSHIRE

COMMISSION FOR THE STUDY OF OCCUPATIONAL DISEASES IN NEW HAMPSHIRE

December 22, 1936.

Mr. Eugene J. O'Neil, the only member of the Commission who dissents from its report desires to file the following minority report:

"The tentative draft of the Commission's report to the Governor and Council has been carefully read by me and as regards the changes I have only the following distinction to apply.

"On page three in the third paragraph the report states that, 'In order to properly meet an admittedly dangerous situation it would be necessary to have some state fund to cover the cost of examinations of those exposed to the silicosis hazard. Such examinations are of necessity expensive as they must include very careful X-ray study in addition to searching physical examinations.' Since the Granite Workers' Organizations, whose members are the ones with whom this Commission is most intimately concerned, are unalterably opposed to physical examinations, I will feel much more free to endorse this report if this opinion of mine is contained at least in a minority report.

"If these physical examinations are allowed, the only result will be the subsequent unemployment suffered by the granite employees and thus the condition will not be ultimately solved. In the State of New York the silicosis compensation law required a physical examination and was un-

successful because the insurance companies raised their premiums so high that the granite sheds were forced to close down. However, the law was amended and the provision requiring a physical examination was removed.

"We of the Commission should have most firmly impressed on our minds the fact that physical exams will not solve the silicosis problem. The only way to do this is by the installation of preventive devices with physical examination of only those who are just being introduced to the granite business."

Very truly yours,

(Signed) EUGENE J. O'NEIL, *Secretary.*

The report was accepted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 24, An act relating to naming that portion of State Highway between Rochester and Alton Bay.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 34, An act relating to actions for malpractice.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 128, An act providing for the Perambulation of the Maine and New Hampshire boundary line.

Amend section 1 of the bill by striking out the words "whenever necessary, once in seven years forever" in the third line thereof; so that said section as amended will read:

1. *Perambulation.* The boundary line between the State of New Hampshire and the State of Maine as marked on land, shall be perambulated and the line marked and bounds renewed. The governor with the advice and consent of the council, shall appoint a surveyor from the Highway Department who shall, in conjunction with a duly authorized representative of the State of Maine, perambulate the boundary line from Bryant's Rock at East Pond to the Canadian line.

Amend section 4 of the bill by inserting at the beginning of said section the following: A sum not to exceed one thousand dollars to cover; so that said section as amended will read:

4. *Expense.* A sum not to exceed one thousand dollars to cover all expenses incurred by representation of this state incidental to such perambulation shall be paid by the state including one-half of the cost of renewing markers or monuments, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

On motion of Mr. Seymour of Carroll, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State of be engrossed.

The message also announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the ad-

visability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

The joint resolution was read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

UNFINISHED BUSINESS

Mr. Ahern of Concord called for the unfinished business, House Bill No. 247, An act relating to the register of deeds for Strafford county.

Reported from the committee with the recommendation that the bill ought to pass.

A minority of the committee reported that it is inexpedient to legislate.

The question being,

Shall the report of the minority be substituted for the report of the majority?

Mr. Ahern of Concord moved that the bill with the accompanying reports be laid upon the table and made a special order for Tuesday, March 16 at 11:01 o'clock.

Mr. McDonough of Dover moved as an amendment that the date be made Tuesday, March 30, at 11:01 o'clock.

Mr. Ahern of Concord withdrew his motion and moved that the date be made Wednesday, March 17, at 11:01 o'clock.

The question being on the motion of Mr. McDonough of Dover.

On a *viva voce* vote the motion prevailed.

Mr. Ahern of Concord asked for a division but subsequently withdrew his request.

ADDRESS

Mr. Leslie S. Baker, Commissioner of the New York World's Fair, addressed the House, urging New Hampshire's participation in the project.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 54, An act authorizing the Union School District of the city of Keene to issue notes or bonds for the payment of current expenses.

SENATE BILL READ

Senate Bill No. 54, An act authorizing the Union School district of the city of Keene to issue notes or bonds for the payment of current expenses.

The bill was read a first and second time.

Mr. Callahan of Keene moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading at the present time, but subsequently withdrew his motion.

On motion of Mr. Tilton of Ward 4, Laconia, the rules were suspended, the printing of the bill and reference to a committee dispensed with and the bill made in order for a third reading at 3:00 o'clock this afternoon.

On motion of Mr. Hart of Wolfboro.

Resolved, that the Grand Army of the Republic be given permission to use Representatives Hall on Thursday evening, April 12, at 8 o'clock, for the purpose of holding its Annual Camp Fire.

On motion of Mr. Goodwin of Bethlehem at 12:10 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 69, An act relating to furbearing animals.

House Bill No. 195, An act relative to weights and measures.

House Bill No. 192, An act relating to wages.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 54, An act authorizing the Union School District of the city of Keene to issue notes or bonds for the payment of current expenses.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Rix of Shelburne at 3:10 o'clock the House adjourned.

FRIDAY, MARCH 5, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Dreghorn of Warren, Nash of Concord, Frost of Milford, Varney of Rochester, Knowlton of Keene, Bailey of Bath and Lovely of New London, were granted leaves of absence for the day on account of important business.

Mr. Hilton of Keene was granted leave of absence for the day on account of illness.

RESOLUTION

On motion of Mr. Ahern of Concord,

Resolved, that when the House adjourns this morning it be to meet Monday evening at 7:30 o'clock and that when it then adjourns it adjourns to meet on Wednesday morning at 11:00 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 31, An act relating to regular meetings of town and city planning boards.

Senate Bill No. 42, An act relating to the land use board.

Senate Bill No. 54, An act authorizing the Union School District of the city of Keene to issue notes or bonds for the payment of current expenses.

House Bill No. 24, An act relating to naming that portion of the state highway between Rochester and Alton Bay.

House Bill No. 84, An act relating to assignment of counsel.

House Bill No. 89, An act relative to the practice of law by unauthorized persons and corporations.

House Bill No. 144, An act relating to inspection of nurseries and nursery stock.

House Bill No. 179, An act relating to the weighing of milk.

House Bill No. 228, An act authorizing the town of Wolfeboro to issue refunding notes or bonds.

House Bill No. 338, An act providing for instruction in public schools relating to elections and voting.

The report was accepted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution

No. 5, Joint resolution in favor of the town of Errol, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand six hundred ninety-four dollars and ninety-one cents ($4,694.91) be and the same is hereby appropriated to reimburse the town of Errol for money spent in defending the town of Errol against a suit brought by Wilfred Vidal, Administrator of the Estate of Bernadette Vidal, January 8, 1930, and the sum appropriated shall be a charge upon the highway funds.

The report was accepted.

The question being on the amendment reported by the committee.

Mr. McDonough of Dover moved that the bill and the accompanying reports be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 23, An act relating to night fishing in the Androscoggin river, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 8, chapter 155 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

8. *Closed to Night Fishing.* No person shall fish in the Androscoggin river from the head of Pontook flowage at the foot of Mile and One-Half Falls, so-called, in the town of Dummer, to the foot of Errol dam during the period from two hours after sunset to one hour before sunrise.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 382, An act relative to laying out of highways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 by striking out the whole of said section and inserting in place thereof the following:

3. *Construction and Maintenance.* Amend section 6 of chapter 77 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 6. *Payment of State.* The governor, with advice of the council, may draw his warrant upon the treasury for money to pay for such portion of the services of the commissioners, the sums awarded to owners of land, and costs of construction of the highway as they shall deem just and reasonable, but said highway shall be maintained by the town or towns in which it is laid out unless the governor and council shall otherwise determine.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass,

Amend section 1 of said bill by striking out the word

"intervening" in the thirteenth line and the words "unless the town has previously voted upon the same question within one year" in the fourteenth and fifteenth lines, so that said section as amended shall read as follows:

1. *Town Warrant.* Amend section 3 of chapter 45 of the Public Laws by striking out said section and inserting in place thereof the following: 3. *Articles.* Upon the written application of ten or more voters or one-sixth of the voters in town, presented to the selectmen or one of them at least sixteen days before the day prescribed for an annual or biennial meeting, the selectmen shall insert in their warrant for such meeting any subject specified in such application. Upon the written application of fifty or more voters or one-fourth of the voters in town, so presented not less than sixty days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The word "voters" in this section shall mean persons listed as such in the last previous revision of the check-list.

The report was accepted.

The question being on the amendment.

The Speaker declared the bill and the report laid upon the table meanwhile the amendment to be printed in the journal.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 41, An act relating to standards for the sale of coal and coke, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass,

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Authority of Commissioner of Weights and Measures.* Amend section 41 of chapter 162 of the Public Laws, as amended by section 1, chapter 49 of the Laws of 1929, by striking out the words "public service commission" in line one and inserting in place thereof the words "commissioner of weights and measures", and by striking out the word

"commission" where it occurs in the seventh and tenth lines and inserting in place thereof the word "commissioner," so that said section as amended shall read as follows: "41. *Standards.* The commissioner of weights and measures shall fix reasonable standards with respect to the amount of bone, slate or other foreign substances which may be contained in anthracite coal or coke sold as standard coal or coke within this state. Such standards shall be set forth in an order or orders, and shall take effect at such time as shall be stated therein and remain in force until modified by the commissioner. In fixing such standards due regard shall be had for the custom of the trade as carried on by reputable dealers, and the orders of the commissioner shall be designed to protect the public from imposition."

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 219, An act relating to foreign insurance companies and their agents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 365, An act relating to motor vehicle violations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Stevens of Kingston, for the Committee on Forestry and Recreation, to whom was referred House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Forestry and Recreation.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Forestry and Recreation.

Mr. Stevens of Kingston, for the Committee on Forestry and Recreation, to whom was referred House Bill No. 87, An act relating to the forest improvement and recreational fund and the development of state forests and reservations, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Forestry and Recreation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry and Recreation.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 254, An act creating a department of State Police, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill in its new draft read a first and second time, and laid upon the table to be printed.

Mr. Wadleigh of Milford, moved that the consideration of the bill be made a special order for Thursday, March 12, at 11:01 o'clock, but subsequently withdrew his motion.

Mr. Johnson of Manchester, for the Committee on Towns and Counties, to whom was referred House Bill No. 198, An act relating to the compensation of the county treasurers, reported the same with the recommendation that the bill be referred to the Delegation from the County of Grafton.

The report was accepted, the rules suspended and the bill referred to a special committee consisting of the Delegation from the County of Grafton.

NOTICE OF RECONSIDERATION

Mr. Tilton of Ward 4, Laconia, gave notice that on tomorrow or some subsequent day he should move to reconsider the vote whereby the House made a special order for Tuesday, March 30 at 11:01 o'clock of House Bill No.

247, An act relating to the register of deeds for County of Strafford.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 311, An act relating to electrical rates charged by utilities, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 312, An act relating to the furnishing of incandescent lamps by electric utilities, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 331, An act relating to the sale of appliances by public utilities, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 352, An act relating to court costs in motor vehicle cases, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 51, An act relating to hours of labor for women, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Johnson of Manchester, for the Committee on Towns and Counties, to whom was referred House Bill No. 316, An act constituting the towns of Alton, Gilmanton and New Durham a village district for certain purposes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Milan, for the Committee on Towns and Counties, to whom was referred House Bill No. 265, An act providing for the election of selectmen for one year terms, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Milan, for the Committee on Towns and Counties, to whom was referred House Bill No. 134, An act relating to the salary of the deputy register of probate in Hillsborough County, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Moran of Nashua moved that the words "ought to pass" be substituted for the words "inexpedient to legislate" and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Thursday, March 11, at 11:01 o'clock.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Moran of Nashua the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Hillsborough.

Mr. Stevens of Kingston, for the Committee on Forestry and Recreation, to whom was referred House Bill No. 391, An act relating to the forestry commission, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 87 in new draft.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state-aided highways.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 23, An act relating to night fishing in the Androscoggin river.

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

Read a third time and passed and sent to the Senate for concurrence in the amendement.

On motion of Mrs. Dugas of Berlin at 12:00 o'clock the House adjourned.

MONDAY, MARCH 8, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Monday, March 8, 1937.

Mr. Donald W. Saltmarsh,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

WEDNESDAY, MARCH 10, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Goodwin of Bethlehem and Rice of Rindge were granted leaves of absence for the day on account of important business.

Mr. Stevens of Kingston was granted leave of absence for the day on account of illness.

Mr. Newell of Laconia was granted leave of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed

Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 34, An act relating to actions for malpractice.

House Bill No. 54, An act relating to the licensing of cold storage warehouses.

House Bill No. 128, An act providing for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 203, An act relating to the posting of highway regulations for trunk lines and state-aided highways.

House Bill No. 220, An act relating to the incorporation of insurance companies.

House Bill No. 231, An act relative to contested elections.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations to whom was referred House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the words "The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated" in the sixth and seventh lines and inserting in place thereof the words, The state treasurer is hereby authorized to transfer from the funds provided by chapter 126 of the Laws of 1931 to the credit of the highway funds the above mentioned sum, so that said resolution as amended shall read as follows:

That the sum of one hundred seventeen thousand, two hundred eleven dollars and five cents ($117,211.05) be and hereby is appropriated for the highway department to rehabilitate the funds for said department on account of premiums received by the state from sale of certain bonds, which said premiums were covered into the general funds

of the state. The state treasurer is hereby authorized to transfer from the funds provided by chapter 126 of the Laws of 1931 to the credit of the highway funds the above mentioned sum.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 407, An act relating to unemployment compensation, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 408, An act relative to the annual registration fee for the practice of optometry, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 409, An act relating to the lobster industry, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 410, An act establishing a secondary highway system, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 411, An act providing for special grill room licenses to first class hotels, with the recommendation that the bill be referred to the Committee on Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 412, An act relating to evidence in gambling, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 168, An act relating to gambling, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Mr. Kimball of Manchester moved to strike out the words "inexpedient to legislate" and substitute therefore the words "ought to pass."

The question being on the motion of Mr. Kimball.

(Discussion ensued)

Messrs. Danforth of Acworth, Woodbury of Manchester, and Tenny of Chester spoke in favor of the motion. Messrs.

Tilton of Ward 4 Laconia, Jones of Lebanon, and Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Jones of Lebanon asked for a division.

A division being taken 131 members voted in favor of the motion and 193 members voted against the motion and the motion did not prevail.

Mr. Danforth of Acworth demanded the yeas and nays.

Mr. Moffett of Berlin moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

The roll was called with the following result:

YEAS, 128

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Fogg of Deerfield, Hepworth, Tozier, Perkins of Hampton, Creighton, Knowles, Mudge, Fernald, Barrett of Portsmouth, Kittredge, Finnigan, Gile.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Blaisdell, Lucas, McDonough, Jenkins, Colby, Berry, Dustin, Dickinson of Rochester.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, Hoyt of Laconia, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Day, Quint, Head, Winkley, Hoyt of Sandwich, Wiggin.

MERRIMACK COUNTY: Munroe, Stearns of Concord, Kemp, Boutwell, Mansur, Butterfield of Concord, Nash, Sturtevant, Tilton of Concord, Brunel of Concord, Maxham, Wiley, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Avery, Pattee, Reynolds, Cole, Smith of Hudson, Cummings of Lyndeborough, Gage, Kimball, Woodbury of Manchester, Bouthiette, Poulin, Haggerty, Janelle, Maker, Foster, Moran, Corliss, Hafeli, Tuttle of Temple.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Despres, Sawyer of Jaffrey, Gates, Hemenway, Tolman, Crane,

Dubois of Swanzey, Barrett of Troy, King, Relihan, Britton.

SULLIVAN COUNTY: Danforth, Quimby, Brigham, Fairbanks, Kelly of Newport, Rogers.

GRAFTON COUNTY: Plumer, Davis, Bailey of Bath, Hammond, Graham, Remick of Groton, Tuxbury, Perkins of Holderness, Titus, Dubuque, French, Hoyt of Lebanon, Sliney, Madden, Collins, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Bell, Taylor, Houston, Dreghorn.

COOS COUNTY: Fogg of Milan, Marshall, Judd, Rix, Whitcher.

NAYS, 234

ROCKINGHAM COUNTY: Dagan, Shaw, Dickinson of Danville, Abbott of Derry, Burbank of Derry, Pillsbury, Fecteau, McReel, Merrill of Exeter, Scammon, Beede, Emerson, Nesmith, Pridham, Rousseau, Turcotte of Newmarket, Estabrook of Newton, Palmer of Plaistow, Gray, Pray, Yeaton, Badger, Rose, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell .

STRAFFORD COUNTY: Atwood, Grimes, Garland, Blanchard, Richards, Whitehouse, Longley, Bergeron, Turcotte of Rochester, Seavey, Varney,Nutter of Rollinsford, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Martin, Small, O'Shea.

CARROLL COUNTY: Churchill, Downs, Mudgett, Huntress, Banfield, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Coakley, Rivet, Baker, Saltmarsh, Matson, Sharaf, Ahern, Donovan, Piper, Carignan, Lemire, Dempsey, Douphinett, Merrill of Loudon, Lovely, Carr, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Clark of Bedford, Charois, Stearns of Hancock, Boynton, Lievens, Abbott of Hudson, Chase, Daniels, Greer, Knowlton of Manchester, Barnard,

Johnson of Manchester, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, O'Brien, Booth, Connelly, Arthur J. Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan, of Ward 6, Manchester, Farrell, Gagnon, Gorham, Hanley, Horan, Bolton, Chevrette, Constant, Farland, Walsh, Driscoll, Hayes of Manchester, Lareau, Gaudreault, Kearns, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Couthillier, Poney, Thompson of New Ipswich, Currier, Cummings of Peterborough, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Robertson, Callahan, Knowlton of Keene, Jones of Keene, Park, Hilton, Spaulding, Duffy, Roche, Woodbury of Sullivan, Granger, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Daly, Etsler, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Cummings of Newport, Kempton, Osborne, Cram.

GRAFTON COUNTY: Remick of Bristol, Pulsifer, Walbridge, Hunter, Lanyon, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perley, Jones of Lebanon, Hamilton, Hildebrand, Magoon, Howard, Merrill of Plymouth, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Dutil, Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Johnson of Northumberland, Fuller, Brown of Stratford.

And the motion did not prevail.

On a *viva voce* vote the resolution of the Committee was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 328, An act relating to small loans, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 319, An act to license the sale of flowers and potted plants, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes to whom was referred House Bill No. 28, An act relating to construction of public buildings, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes to whom was referred House Bill No. 142, An act relating to daylight saving time, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Mr. Hart of Wolfeboro moved that the report "ought to pass" be substituted for the committee report "inexpedient to legislate" and that the bill be amended by striking out the word "back" in line nine of the printed copy and insert in place thereof the word "forward" and that with that motion pending the bill and report be laid upon the table and made a special order for Tuesday, March 16, at 11:01 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Hart asked for a division.

A division being taken 117 members voted in the affirmative and 171 members voted in the negative and the motion did not prevail.

The question being on the resolution reported by the committee.

(Discussion ensued)

Messrs. Callahan of Keene, and Barnard of Manchester spoke in favor of the resolution. Messrs Hart of Wolfeboro, and Ahern of Concord spoke against the resolution.

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 205 members voted in the affirmative, 114 members voted in the negative, and the motion prevailed.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Sanborn of Wakefield, for the Committee on Ways and Means, to whom was referred House bills:

No. 385, An act for the taxation of property passing by sale at retail.

No. 386, An act relating to taxation of income.

No. 387, An act relating to the property tax reduction fund.

No. 388, An act relative to tax on interest and dividends.

No. 390, An act relative to taxation of live stock and stock in trade.

Reported the same with the following resolution:

Resolved, That said bills be incorporated into one bill, House Bill No. 387 (In New Draft and New Title), An act establishing a property tax reduction fund and providing means to finance the same, and that said House Bill No. 387

(In New Draft and New Title), be laid on the table to be printed and recommitted to the Committee on Ways and Means.

On a *viva voce* vote the resolution was adopted.

House Bill No. 387 (In New Draft and with New Title), An act establishing a property tax reduction fund and providing means to finance the same, was read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Munroe of Andover, for the Committee on Engrossed Bills, to whom was referred House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities, reported the same under joint rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by inserting after the words "Public Laws" the words, as amended by chapter 63, Laws of 1927, chapter 38, Laws of 1929, and chapter 101, Laws of 1933.

Amend section 2 of said bill by striking out the number "3a" in the third line.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Corporations.* Amend section 5, chapter 284 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 5. *Status as Dealers in Securities.* Such corporation and its officers, agents and employees so licensed shall be regarded as dealers in securities under the provisions of this chapter. By December first of each year such licensees shall furnish to the commissioner upon a form to be furnished by him under the oath of such responsible officer of the corporation as the commissioner may require an annual financial statement for the period ending June thirtieth of each year exhibiting with reasonable detail assets, liabilities, profit and loss of the corporation for said period.

Amend section 4 of said bill by striking out the number "8a" in the third line and by striking out the word "to" in the thirteenth line and inserting in place thereof the word, of.

Amend secton 8 of said bill by striking out the number "24a" in the third line.

Amend section 9 of said bill by inserting a comma after the word "individual" in the fourth line.

Amend section 10 of said bill by striking out the number "26a" in the third line and by inserting a comma after the word "Hampshire" in the seventh line.

Amend section 11 of said bill by striking out the same and inserting in place thereof the following:

11. *Repeal.* Section 28 of chapter 284 of the Public Laws relating to the limitation on prohibited sales of securities is hereby repealed.

On motion of Mr. Wadleigh of Milford the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

On motion of Mr. Wadleigh of Milford the rules were suspended and House Bill No. 254, An act creating a department of State Police, was taken from the table and recommitted to the Committee on Judiciary.

On motion of Mr. Sanborn of Wakefield the clerk was instructed to procure 1000 additional copies of House Bill No. 387, An act establishing a property tax reduction fund and providing means to finance the same.

On motion of Mr. Hart of Wolfboro at 12:45 o'clock the House took a recess for one hour.

(After Recess)

Mr. Molloy of Nashua called for the special order House Bill No. 30, An act relating to the building and maintenance of state roads and highways by the state highway department.

The question being

Shall the recommendation that the bill ought to pass be substituted for the resolution of the committee that it is inexpedient to legislate.

(Discussion ensued)

Messrs. Molloy of Nashua, Wilcox of Nashua, and Callahan of Keene spoke in favor of the motion, Messrs. Winslow of Nashua and Seymour of Carroll spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Molloy of Nashua asked for a division.

A division being taken 87 members voted in the affirmative and 238 members voted in the negative, and the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Lanyon of Hanover called for the special order House Bill No. 396, An act relating to hours of labor for women and minors.

The question being on the amendment offered by Mr. Lanyon of Hanover.

(Discussion ensued)

Messrs. Lanyon of Hanover, and Jones of Lebanon, spoke in favor of the amendment. Messrs. Smith of Haverhill, and Dickinson of Danville, spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Lanyon of Hanover demanded the yeas and nays and the roll was called with the following result:

YEAS 77

ROCKINGHAM COUNTY: Havican, Hepworth, Estabrook of Newton, Palmer of Plaistow.

STRAFFORD COUNTY: Atwood, Henderson of Dover, Grimes, Blaisdell, McDonough, Colby, Berry, Varney.

BELKNAP COUNTY: Edgerly, Helms, Banfield, Wiggin.

MERRIMACK COUNTY: Courtemanche, Coakley, Stearns of Concord, Baker, Wiley, Ahern, Lemire, Dempsey, Fowler, Sanderson, Dupont.

HILLSBOROUGH COUNTY: Cole, Corey, Betley, Clancy, Healy, Connelly, Arthur J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan, Ward 6, Manchester, Farrell, Gagnon, Gorham, Hanley, Bolton, Bouthiette, Constant, Donnelly, Farland, Poulin, Walsh, Hayes of Manchester, Lareau, Gaudreault, Kearns, Lariviere, Lesmerises, Cooper, Moran, Wilcox, Corliss, Casey.

CHESHIRE COUNTY: Tolman.

SULLIVAN COUNTY: Danforth, Daly, Quimby, Brigham, Cram.

GRAFTON COUNTY: Walbridge, Tuxbridge, French, Jones of Lebanon, Sliney, Madden, Hildebrand, Soper, Sawyer of Woodstock.

COOS COUNTY: Moffett, Studd, Brungot, Ramsey of Berlin.

NAYS 273

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Tenney, Dickinson of Danville, Fogg of Deerfield, Burbank of Derry, Pillsbury, McReel, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Nesmith, Pridham, Mudge, Dondero, Gray, Pray, Yeaton, Canty, Cogan, Badger, Finnigan, Gile, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Chabot, Caswell, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Cartier, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Seavey, Nutter of Rollinsford, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Adams of Belmont, White, Hunt, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Hoyt

of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Sanders, Martin, Small, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Huntress, Winkley, Hoyt of Sandwich, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Rivet, Kemp, Boutwell, Butterfield, Conlon, Nash, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Maxham, Donovan, Nutter of Epsom, Piper, Carigan, Douphinett, Johnson of Hooksett, Mitchell, Ball, Merrill of Loudon, Lovely, Carr, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Barry, Dwyer, Kelley of Ward 3, Manchester, Clark of Manchester, Sullivan of Ward 4, Manchester, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connolly, Paul J., Ward 6, Manchester, Horan, Cullen, Haggerty, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Letendre, Soucy, Maker, Foster, Frost, Wadleigh, Atherton, James, Winslow of Nashua, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Bouthillier, Poney, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever, Chevrette.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Callahan, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Duffy, Roche, Woodbury of Sullivan, Crane, Dubois of Swanzey, Granger, Barrett of

Troy, King Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Rogers.

GRAFTON COUNTY: Plumer, Davis, Bailey of Bath, Hammond, Remick of Bristol, Pulsifer, Graham, Remick of Groton, Hunter, Bailey of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, Hoyt of Lebanon, Collins, Hamilton, Magoon, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Barden, Mason, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Felton, Dickson of Colebrook, Ramsey of Colebrook, Parkhurst, Jordon of Errol, Chandler of Gorham, Willis, Parker, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

And the amendment was not adopted.

Mr. Grimes of Dover offered the following resolution:

Amend section 1 of said bill by striking out the words "forty-eight" in line 8 of the printed bill and inserting in place thereof the words, forty-four, so that said section as amended shall read as follows:

1. *Hours of Labor.* Amend section 14, chapter 176 of the Public Laws by striking out the whole thereof and substituting therefor the following: 14. *Females, Minors.* No female, or minor under eighteen years of age, shall be employed or permitted to work at manual or mechanical labor in any manufacturing establishment more than ten hours in any one day, or more than forty-four hours in any one week. No female or minor under eighteen years of age, shall be employed or be permitted to work at manual or mchanical labor in any other employment, except house-

hold labor and nursing, domestic, hotel, cabin, and boarding house labor, operating in telegraph and telephone offices and farm labor, more than ten and one-quarter hours in any one day, or more than fifty-four hours in any one week.

The question being on the amendment.

(Discussion ensued)

Messrs. Grimes and McDonough of Dover, spoke in favor of the amendment, Mr. Dickinson of Danville against the amendment.

Mr. Clancy of Manchester demanded the yeas and nays and the roll was called with the following result:

YEAS 145

ROCKINGHAM COUNTY: Dagan, Hepworth, Beede, Palmer of Plaistow, Canty, Cogan, Finnigan.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Grimes, Blaisdell, McDonough, Caldwell, Colby, Berry, Cartier, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Varney, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Edgerly, Cantin, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Wiggin.

MERRIMACK COUNTY: Courtemanche, Carter, Coakley, Rivet, Stearns of Concord, Kemp, Maxham, Wiley, Ahern, Donovan, Piper, Carignan, Lemire, Dempsey, Douphinett, Fowler, Ball, Dupont, Sanderson.

HILLSBOROUGH COUNTY: Smith of Hudson, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Clark of Manchester, Clougherty, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. of Ward 6, Manchester, Connolly, Paul J. of Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Walsh,

Driscoll, Hayes of Manchester, Lareau, Gaudreault, Kearns, Cullen, Haggerty, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Letendre, Soucy, Lariviere, Lesmerises, Bernard, Vigneault, Drumm, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Noel, Wilcox, Bouthillier, Poney.

CHESHIRE COUNTY: Callahan, Park, Roche, Tolman, Crane, Dubois of Swanzey.

SULLIVAN COUNTY: Danforth, Daly, Quimby, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton.

GRAFTON COUNTY: Davis, Bailey of Bath, Walbridge, Lanyon, Duburque, French, Jones of Lebanon, Sliney, Madden, Sawyer of Woodstock.

COOS COUNTY: Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Brungot, Ramsey of Berlin, Judd, Brown of Stratford .

NAYS 203

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Dickinson of Danville, Fogg of Deerfield, Burbank of Derry, Pillsbury, McReel, Scammon, Tozier, Syphers, Emerson, Perkins of Hampton, Creighton, Nesmith, Pridham, Estabrook of Newton, Mudge, Dondero, Gray, Pray, Yeaton, Badger, Gile, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Caswell, Blanchard, Richards, Whitehouse, Longley, Jenkins, Seavey, Nutter of Rollinsford.

BELKNAP COUNTY: Rollins, Adams of Belmont, White, Hunt, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Sanders, Martin, Small, Helms.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Huntress, Banfield, Winkley, Hoyt of Sandwich, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Baker, Boutwell, Butterfield of Concord, Conlon, Sturtevant, Tilton of Concord, Matson, Nutter of Epsom, Johnson of Hooksett, Mitchell, Lovely, Carr, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Sullivan of Nashua, Molloy, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Knowlton of Keene, Olson, Jones of Keene, Gates, Hilton, Spaulding, Duffy, Woodbury of Sullivan, Granger, Barrett of Troy, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Rogers, Cram.

GRAFTON COUNTY: Plumer, Hammond, Remick of Bristol, Pulsifer, Graham, Swett, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Hoyt of Lebanon, Collins, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Barden, Mason, Studd, Snodgrass, Bixby, Dugas, Myler, Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Fogg of Milan, Jonson of Northumberland, Marshall, Rix, Fuller, Whitcher.

And the amendment was not adopted.

Mrs. Brungot of Berlin offered the following amendment:

Amend paragraph 2 of the bill by striking out the entire paragraph.

The question being on the amendment.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the amendment, Mr. Cummings of Peterborough spoke against the amendment.

Mr. Tilton of Ward 4, Laconia, asked for a division.

A division being taken 98 members voted in the affirmative and 198 members voted in the negative and the amendment was not adopted.

The bill was then ordered to a third reading.

On motion of Mr. Sanborn of Wakefield at 4:25 o'clock the House adjourned.

AFTERNOON

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 396, An act relating to hours of labor for women and minors.

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

Severally read a third time and passed and sent to the Senate for concurrence.

Mr. Booth of Manchester offered the following resolution:

Whereas, The House of Representatives has learned with deep regret of the death of Chief Michael J. Healy of

the Manchester police department, pioneer police official in the state and a man of outstanding ability.

Resolved, That when the House adjourns it be in respect to the memory of Chief Healy and that his family be notified of the sincere sorrow of the members of the House.

On motion of Mr. Bailey of Haverhill at 4:48 o'clock the House adjourned.

THURSDAY, MARCH 11, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Osborne of Sunapee, Cummings of Lyndeborough, and Walbridge of Enfield were granted leaves of absence for Thursday and Friday on account of illness.

COMMITTEE REPORTS

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 200, An act to legalize certain investments by trustees, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "the" in the first line and by striking out the word "of" in the second line and inserting in place thereof the word "in," so that said section as amended shall read:

Sect. 1. *Investments of Trust Funds.* Investments in Building and Loan Associations operating under a charter granted by the State of New Hampshire and of Federal Savings and Loan Associations operating under a Federal charter, whose accounts are insured by the Federal Savings and Loan Insurance Corporation, shall be and hereby are declared to be legal investments for trust funds.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 346, An act relative to settlement of suits brought for minors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "settlement" in the first line the words "the amount of which exceeds three hundred dollars" so that said section as amended shall read:

Sect. 1. *Approval of Court Required.* No settlement, the amount of which exceeds three hundred dollars, of any suit brought in behalf of an infant by next friend shall be valid unless approved by the court in which the action is pending, or to which the writ is returnable, or affirmed by an entry or judgment. The court may make all necessary orders for protecting the interests of the infant, and may require the guardian *ad litem,* or next friend, to give bond to truly account for all money received in behalf of the infant.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 266, An act relating to measurement of fuel oil, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 330, An act relating to the tenure of office and employments, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Messrs. Callahan of Keene and McDonough of Dover spoke against the resolution.

Messrs. Guay of Laconia, Dickinson of Danville, Hunter of Hanover, Jones of Lebanon, and Pillsbury of Derry spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

NOTICE OF AMENDMENT

Mr. Noel of Nashua gave notice that on tomorrow or some subsequent day he would move to amend the rules of the House by striking out all of section 17.

PERSONAL PRIVILEGE

Mr. Mansur of Concord rose to a question of personal privilege and made the following statement:

I was unavoidably detained in a Senate hearing yesterday afternoon. Had I been present I should have voted "no" on the amendment offered by the member from Hanover, Mr. Lanyon, to House Bill No. 396, An act relating to hours

of labor for women and minors, and "no" on the amendment offered by the member from Dover, Mr. Grimes, to the same bill.

Mr. Saltmarsh of Concord rose to a question of personal privilege and made the following statement:

I was unavoidably detained yesterday afternoon. Had I been present I should have voted "no" on the amendment offered by the member from Hanover, Mr. Lanyon, to House Bill No. 396, An act relating to hours of labor for women and minors, and "no" on the amendment offered by the member from Dover, Mr. Grimes, to the same bill.

On motion of Mr. Etsler of Claremont business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 346, An act relative to settlement of suits brought for minors.

House Bill No. 200, An act to legalize certain investments by trustees.

Severally read a third time and passed and sent to the Senate for concurrence.

ADDRESS

Judge Spring of the State Tax Commission appeared and addressed the members on House Bill No. 387, An act to establish a property tax reduction fund and providing means to finance the same, and other matters relating to taxation.

On motion of Mr. Clark of Bedford at 12:23 o'clock the House adjourned until Friday morning at 11:00 o'clock.

FRIDAY, MARCH 12, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Saltmarsh of Concord and Frost of Milford were granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Daniels of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend said resolution by adding after the word "entitled" the following: When and if it shall be determined by said judge of probate that the said Mary E. Gardner was survived by heirs-at-law all rights of the state in and to any real estate which the said Mary E. Gardner owned at the time of her death shall be deemed relinquished to such heirs-at-law, and it is hereby declared that if it shall be so found the state does not and will not claim such real estate; so that said resolution as amended shall read as follows:

That the judge of probate for the county of Sullivan and state of New Hampshire is hereby authorized to conduct a hearing or hearings, at which the aforesaid first cousins of the mother or father of the said Mary E. Gardner may appear and present proof that they are the heirs of the said Mary E. Gardner; and if such claims, or any thereof, shall be established the treasurer of the state of New Hampshire shall be ordered by the judge of probate for the county of Sullivan aforesaid to pay said sum, together with the accumulations thereon, if any, to such heirs in the several amounts to which the said judge of probate shall find them

entitled. When and if it shall be determined by said judge of probate that the said Mary E. Gardner was survived by heirs-at-law all rights of the state in and to any real estate which the said Mary E. Gardner owned at the time of her death shall be deemed relinquished to such heirs-at-law, and it is hereby declared that if it shall be so found the state does not and will not claim such real estate.

The Secretary of State is hereby authorized to send a copy of this resolution to the judge of probate for the county of Sullivan aforesaid, who, upon receipt thereof, shall act upon the same forthwith.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 79, Joint resolution relating to index for session laws, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out in lines two and three the following: "to the Session Laws of 1927, 1929, 1931, 1933, 1935 and 1937;" and inserting in place thereof the words: of all the session laws from 1927 to 1937 inclusive, and so that said resolution amended shall read as follows:

That the Secretary of State be and he hereby is authorized to prepare and cause to be printed a suitable index of all the session laws from 1927 to 1937 inclusive, and that said index shall be included as an appendix to the Session Laws of 1937. The cost of printing said index shall be a charge upon the appropriation for legislature expense for the fiscal year ending June 30, 1937.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Magoon of Littleton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others, reported the same with the following amendment,

and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in the first three lines the following: "sixty-six dollars and sixty-seven cents ($66.67)" and substituting therefor the following, forty-eight dollars ($48); further amend by striking out in the ninth and tenth lines the following: "thirty-six dollars ($36)" and substituting therefor the following, thirty dollars ($30); further amend by striking out in the thirteenth line the following: "eleven dollars ($11)" and substituting therefor the following, nine dollars and seventeen cents ($9.17); further amend by striking out in the fourteenth and fifteenth lines the following: "twenty-five dollars ($25)" and substituting in place therefor the following, twenty dollars and eighty-three cents ($20.83), so that said joint resolution as amended shall read as follows:

That the sum of forty-eight dollars ($48) be and hereby is appropriated to compensate Walter Taylor of the town of Thornton for accidental injuries suffered while building a state aid road in the town of Waterville. An additional sum of thirty dollars is likewise appropriated to be paid as follows: Plymouth Memorial Hospital, nine dollars and seventeen cents ($9.17); Dr. R. P. Middleton of Plymouth, twenty dollars and eighty-three cents ($20.83); said bills having been contracted by said Walter Taylor in said accident. Said sums herein before appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Baker of Concord for the Committee on Appropriations, to whom was referred House Bill No. 276, An act relating to the state board of health, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the same and inserting in place thereof the following: An act relative to the salary of the secretary of the state board of health.

Amend section 1 by inserting after the word "board" in the third line the words, with the approval of the governor and council, so that said section as amended shall read as follows:

1. *State Board of Health.* Amend section 12 of chapter 125 of the Public Laws by striking out the whole thereof and inserting in place thereof the following:

12. *Secretary.* The salary of the secretary shall be fixed by the board with the approval of the governor and council at an amount not to exceed five thousand dollars a year.

The report was accepted.

The question being on the amendment.

On motion of Mr. Baker of Concord the bill with the accompanying amendment was laid upon the table.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the state of New Hampshire at the New York World's Fair, 1939, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Bill No. 257, An act making appropriation for a program of service to crippled children, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 36, An act to amend the charter of L'Union St. Jean Baptiste Society in Nashua, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 354, An act relating to medical referees, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 127, An act relating to permits for the registration of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 258, An act providing for serving of legal process on non-residents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 414, An act relating to so-called "Bookies," with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Remick of Bristol the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 416, An act in relation to public baths and swimming pools, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Kearns of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed, and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 418, An act relating to legal holidays, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Emerson of Hampstead for the Committee on Appropriations, to whom was referred House Joint Resolution No. 114, Joint resolution for dredging a bog in Island pond in Hampstead, Derry and Atkinson, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 376, An act relating to absentee voting, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 405, An act relative to information to be reported by registers of deeds to selectmen and assessors, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House

of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 80, Joint resolution for the reprinting of the Laws of 1927.

Amend the resolution by adding after the word, charge, in line 7 the following words, not to exceed one thousand dollars, so that the resolution as amended shall read as follows:

That the Secretary of State be and hereby is directed to cause to be printed six hundred additional copies of the Laws of 1927, four hundred of which shall be bound. The cost of the printing hereby authorized shall be a charge not to exceed one thousand dollars upon the appropriation for legislative expense.

On a *viva voce* vote the House concurred in the passage of the amendment.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicle Racing Prohibited.* Amend chapter

103 of the Public Laws by inserting after section 18 thereof as amended by chapter 76, Laws of 1927, the following new section: 18-a. *Road Racing.* It shall be unlawful for any person to conduct or participate in any prearranged motor vehicle race on any public way in this state at any time. Whoever violates any of the provisions of this section shall be fined not more than two hundred dollars or imprisoned not more than six months or both such fine and imprisonment.

On motion of Mr. Barnard of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

Amend section 1 of said bill by striking out the first sentence thereof and inserting in place thereof the following:

The county commissioners of the county of Belknap are hereby empowered and authorized to issue for and in behalf of said county serial bonds to an amount not exceeding one hundred and fifty thousand dollars for the purpose of refunding outstanding notes of said county.

On motion of Mr. Barnard of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

CORRECTION OF DATE

In asking for the use of Representatives Hall, the Grand Army requested it for the evening of Thursday, April 12. April 12 falls on a Monday and it was voted that way by the House. However, the Grand Army actually wanted it for Thursday, the 15th.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Bill No. 257, An act making appropriation for a program of service to crippled children.

House Bill No. 258, An act providing for serving of legal process on non-residents.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

House Joint Resolution No. 61, Joint resolution relative to the estate of Mary E. Gardner.

House Joint Resolution No. 79, Joint resolution relating to index for session laws.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the State of New Hampshire at the New York World's Fair, 1939.

Senate Bill No. 36, An act to amend the charter of L'Union St. Jean Baptiste Society in Nashua.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTION

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Havican of Brentwood at 11:56 o'clock the House adjourned.

MONDAY, MARCH 15, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, March 15, 1937.

Mrs. Elizabeth H. Mason,
Berlin, N. H.

DEAR MADAM:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Goodwin of Bethlehem at 7:31 o'clock the House adjourned.

TUESDAY, MARCH 16, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Hoyt of Laconia and Brunelle of Haverhill were granted leave of absence for the day on account of important business.

Mr. Hilton of Keene was granted leave of absence for the day on account of illness.

Messrs. Reynolds of Greenfield and Newell of Laconia were granted leave of absence for the day on account of illness.

COMMITTEE REPORTS

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said resolution by striking out all after the word "Newbury" in the fifth line and inserting in place thereof the words, and said sum appropriated by the state shall be a charge upon the highway funds, so that said resolution as amended shall read as follows:

That the sum of fifty dollars ($50) be and the same is hereby allowed James N. Lawrence of Claremont to reimburse him for money expended by him in the repairs made to his automobile which was damaged by a truck employed by the state highway department on November 16, 1935 at Newbury; and said sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness, re-

ported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out in lines 1 and 2 the following: "twenty-three hundred and twenty-eight dollars and fifty cents ($2,328.50)" and substituting therefor the following: one thousand and fourteen dollars, ($1,014), so that said joint resolution as amended shall read as follows:

That the sum of one thousand fourteen dollars ($1,014) be and hereby is appropriated to reimburse the town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state aid road in Holderness June 22, 1933. Said sum shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 76, An act to provide for the examination and for the use of voting machines, at elections, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 12 and inserting in place thereof the following:

12. *Assistance in Voting.* Any voter who declares to the moderator, under oath, that he cannot read, or that because of blindness or other physical disability he is unable to mark his ballot, shall, upon his choice and request, receive the assistance of one or both of the election officers detailed for that purpose by the moderator; and such officer or officers shall thereafter give no information regarding the same, provided that nothing herein contained shall repeal or modify the provisions of section 59, chapter 26

of the Public Laws or the provisions of chapter 45 of the Laws of 1933.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Stevens of Kingston, for the Committee on Forestry and Recreation, to whom was referred House Bill No. 85 (In New Draft), An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 384, An act legalizing the November election in the town of Londonderry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 267, An act relating to the sale of fuel wood, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 72 (In New Draft), An act relating to fire escapes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 324, An act relating to payment of wages, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following entitled bill, House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriations.

Mr. Seavey of Rochester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 102, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 419.

The report was accepted and the resolution of the committee adopted.

Mr. Estabrook of Newton, for the Committee on Claims, to whom was referred House Joint Resolution No. 21, Joint resolution in favor of Albert St. Peter and Gladys St. Peter, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Estabrook of Newton, for the Committee on Claims, to whom was referred House Joint Resolution No. 106, Joint resolution in favor of James J. Cullen, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 375, An act relating to the powers of the state liquor commission, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 350, An act relative to state stores for the sale of liquor in the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 31, An act relating to on-sale permits for the sale of certain alcoholic beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 56, An act pertaining to the sale of beverages on election days after the polls are closed, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Booth of Manchester moved that the words "ought

to pass" be substituted for the words "inexpedient to legislate."

The question being on the motion of Mr. Booth.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the motion, Messrs. Dickinson of Rochester, Estabrook of Alstead, and Wiggin of Sandwich spoke against it.

Mr. Barrett of Portsmouth asked for a division.

A division being taken 80 members voted in the affirmative and 201 members voted in the negative, and the motion was not adopted.

Mr. Kelley of Ward 3, Manchester, demanded the yeas and nays but subsequently withdrew his demand.

Mr. Barrett of Portsmouth renewed the demand for the yeas and nays but subsequently withdrew his demand.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 71, An act relating to the sale of liquor, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 307, An act relating to local option, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 190, An act

relative to child identification, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

BILL RECALLED

On motion of Mr. Molloy of Nashua, House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua, was recalled from His Excellency, the Governor.

On motion of Mr. Molloy of Nashua the vote whereby the House passed House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua, was rescinded.

On motion of Mr. Molloy of Nashua, House Bill No. 166, An act relative to the salary received by the special justice of the municipal court of Nashua, was put back upon its second reading and recommitted to a special committee consisting of the delegation from the city of Nashua.

RESOLUTION

Mr. Caron of Manchester offered the following resolution:

Whereas, House Bill No. 152 entitled "An Act Relating to Pari Mutuel Pools" which seeks to give to the State the so-called "breakage" on mutuel pools, involves the grant to the State of a considerable sum of money; and

Whereas, the operators of race tracks are not entitled to such breakage because such money does not belong to such operators but belongs to the individuals who place bets with such operators; and

Whereas, the profits of such race-track enterprises have been divided in the form of salaries and expenses so that the large profits which are obtained from such operations are concealed; and

Whereas, the only way that I can determine the real truth is by making a comparison of the Financial Balance Sheet of the year 1934 of which I have, with the 1936 Financial Balance Sheet of the New Hampshire Jockey Club, Inc., that is in question; and

Whereas, the conduct of races is a special franchise granted by the State, in other words a business in which the State, by law, is an active partner; and

Whereas, attempts have been made by others and myself who are interested in knowing whether or not the N. H. Jockey Club Inc., can operate with a reasonable profit on their investment with its remuneration by the percentage allowance of all bets so placed with them, and charge of admission fees, and concessions, etc., to such race-track, without the "breakage"

Now, Therefore, Be It Resolved by the House:

That the said House of Representatives, authorize the Clerk to send each of the following a letter: THE STATE RACING COMMISSION, THE NEW HAMPSHIRE JOCKEY CLUB INC., and the WAYS AND MEANS COMMITTEE of which it is claimed by some of its members of said Committee to possess the FINANCIAL BALANCE SHEET of the year 1936 of the N. H. Jockey Club Inc. To release or show said information to me or any other members of the HOUSE OF REPRESENTATIVES, who so desires to see this 1936 FINANCIAL BALANCE SHEET OF THE NEW HAMPSHIRE JOCKEY CLUB INC.

Question being on the resolution.

(Discussion ensued)

Mr. Caron of Manchester spoke in favor of the resolution. Messrs. Sanborn of Wakefield, and Dickinson of Danville spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Noel of Nashua offered the following resolution:

Resolved, That the Rules of the House be amended by striking out Rule 17.

The question being on the resolution.

(Discussion ensued)

Mr. Noel of Nashua, James of Nashua, and Cummings of Peterborough, spoke in favor of the resolution. Messrs. Callahan of Keene, and McDonough of Dover, spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Noel of Nashua asked for a division.

A division being taken 93 members voted in the affirmative and 181 members voted in the negative, and the resolution was not adopted.

TAKEN FROM THE TABLE

On motion of Mr. Baker of Concord, House Bill No. 276, An act relating to the state board of health, was taken from the table.

Reported from the Committee on Appropriations with amendments.

The question being on the amendments.

(Discussion ensued)

Messrs. Baker of Concord, and Callahan of Keene, spoke in favor of the amendments. Mr. Dickinson of Rochester spoke against the amendments.

On a *viva voce* vote the amendments were not adopted.

The question being:

Shall the bill be read a third time?

On a *viva voce* vote the bill was denied a third reading.

On motion of Mr. Cummings of Peterborough business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Cummings of Peterborough the rules

were suspended and the third readings of bills by their titles made in order.

House Bill No. 72, An act relating to fire escapes.

House Bill No. 76, An act to provide for the examination and for the use of voting machines, at elections.

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government.

House Bill No. 267, An act relating to the sale of fuel wood.

House Bill No. 324, An act relating to payment of wages.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Hoyt of Lebanon at 12:45 o'clock the House adjourned.

WEDNESDAY, MARCH 17, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Reverend Daniel M. Welch of Andover.

LEAVES OF ABSENCE

Mr. Carr of Northfield was granted leave of absence for the day on account of attending a funeral.

Mr. Hilton of Keene was granted leave of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 41, An act relating to standards for the sale of coal and coke.

House Bill No. 27, An act relative to the board of public works of the city of Concord.

House Bill No. 120, An act to prohibit motor vehicle racing on public ways.

House Bill No. 393, An act relating to the issue of bonds by the county of Belknap.

House Joint Resolution No. 51, Joint resolution in favor of the New Hampshire Veterans' Association.

The report was accepted.

Mr. Seavey of Rochester, for the Committee on Appropriations, to whom was referred House Bill No. 382, An act relative to laying out of highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 209, An act closing certain waters to smelt fishing, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 233, An act relating to taking aureolus trout, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 254, An act creating a department of state police, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 8 by inserting in line two the words "and Council" so that said section as amended shall read: "8. *Power to Make Regulations.* The superintendent shall have authority, with the approval of the Governor and Council, to make such reasonable rules and regulations as may be desirable for the efficient administration of the department. He shall from time to time, in accordance with any such rules and regulations which may be adopted, designate or change the rank or grade to be held by any or all employees. He shall have authority to determine the duties of all employees and to determine the conditions of bonds to be required of them."

Amend section 5 by inserting in line seven the words "and Council" so that said section as amended shall read: "5. *Establishing Ranks and Qualifications.* The superintendent shall establish a suitable classification of grades, positions and ranks for employees and responsibility. For each such grade, position and rank, the superintendent shall fix standards of health, education, training and experience, and prescribe, with the approval of the Governor and Council, the salaries to be paid. The salary and amount of the bond of the superintendent shall be fixed by the Governor, with the approval of the Council."

Amend section 18 by adding at the end thereof the following sentence: "The initial personnel of the department shall be made up from the motor vehicle highway patrol officers, who shall be transferred to and become employees of the department" so that said section as amended shall read: "18. *Transfer of Equipment, Funds and Appropriations.* The equipment and records of the investigator acquired pursuant to chapter 152 of the Laws of 1933 and

all motor vehicles, motorcycles, uniforms, all side arms and all other equipment owned by the Motor Vehicle Department and heretofore used in connection with the highway patrol, shall be transferred to the department. In addition to such funds as may be appropriated for the operation and maintenance of the department, there shall be transferred to it annually $150,000 of the moneys received by the State Treasurer from fees collected by the Motor Vehicle Department from the registration and licensing of motor vehicles and operators. The initial personnel of the department shall be made up from the motor vehicle highway patrol officers, who shall be transferred to and become employees of the department."

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 406, An act in relation to tax collectors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Improvements, to whom was referred House Bill No. 410, An act establishing a secondary highway system, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 96, An act to make uniform the transfer of stock, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Ap-

propriations, to whom was referred House Bill No. 365, An act relating to motor vehicle violations, reported the same with the following resolution:

Resolved, That is inexpedient to legislate.

The report was accepted and the resolution of the commitee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 57, An act relating to the keeping of animals wild by nature in captivity, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 184.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 130, An act relating to brook trout, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 187, An act relating to the keeping of animals wild by nature in captivity, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 184.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 261, An act relating to the use of nets in the taking of fish, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 349, An act prohibiting aliens from holding fishing and hunting licenses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 355, An act to limit Mountain pond in the town of Chatham to fly fishing only, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 172, An act relative to assistance to aged and dependent persons, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 147, An act relating to firecrackers, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 325, An act relating to payment of wages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 334, An act relating to liens for water rates, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 129, An act relating to the sale of wines by restaurants, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 129, An act relating to the sale of wines by restaurants, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

HARRY G. TITUS,
MILES H. DUSTIN,
CHARLES P. COAKLEY,
A Minority of the Committee.

Mr. Dustin of Rochester moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Dustin.

(Duscussion ensued)

Messrs. Dustin of Rochester, Whitcher of Whitefield, Gage of Manchester, Wiggin of Tamworth, Woodbury of Manchester, Coakley of Concord, and Mrs. Rix of Shelburne spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

PRESENTATION

Mrs. Cooper of Nashua, on behalf of the Committee on Judiciary, presented the chairman Clarence B. Etsler of Claremont with a token of their regard and esteem together with a handsome bouquet of pinks, today being the anniversary of Mr. Etsler's birth.

Mr. Piper of Franklin for the special committee consisting of the delegation from the county of Merrimack to whom was referred House Bill No. 323, An act establishing commissioner districts in the county of Merrimack, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Molloy of Nashua for the special committee, consisting of the delegation from the city of Nashua, to whom was referred House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass,.

Amend section 1 by striking out in lines 5 and 15 the words "one thousand" and substituting therefor the words, eight hundred, so that said section as amended shall read as follows:

1. *Nashua Municipal Court.* Amend section 4, chapter 323 of the Public Laws, as amended by chapter 116 of the Laws of 1929, chapter 19 of the Laws of 1931 and chapter 101 of the Laws of 1935, by striking out the words "six hundred" in the ninth line and inserting in place thereof the words eight hundred so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or

part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and towns shall be as follows, of Manchester eight hundred dollars, of Nashua eight hundred dollars, of Concord five hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 53 (In New Draft), An act relating to legacy receipts.

House Bill No. 163, An act relating to vacancies in county offices.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 188, An act relative to marriage by a party under the age of consent.

House Bill No. 223, An act relating to the sale of lightning rods.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 243, An act relating to criminal appeals.

Amend section 1 of the bill by inserting after the words "and the said appeal shall be entered by the appellant within thirty days of the taking of said appeal" the words "unless for good cause shown the time is extended by the superior court"; so that as amended said section shall read:

1. *Appeals.* Amend section 2 of chapter 366 of the Public Laws as amended by section 1 of chapter 10 of the Laws of 1927, by striking out the words "at the term next to be holden in the county" in the first sentence thereof and substituting therefor the words "and said appeal shall be entered by the appellant within thirty days of the taking of said appeal unless for good cause shown the time is extended by the superior court" so that as amended said section shall read:

2. *Appeals.* A person sentenced for an offence, by a municipal court or justice of the peace, may, at the time such sentence is declared, appeal therefrom to the superior court, and said appeal shall be entered by the appellant within thirty days of the taking of said appeal unless for good cause shown the time is extended by the superior court. The fees for copies sent to the superior court shall be taxed in the bill of costs. In all criminal cases which are appealed from a justice or a municipal court, or in which defendants are bound over by a justice or a municipal court, it shall be the duty of the clerk of the superior court to transmit to the justice or the municipal court, within ten days after such case is finally disposed of in the superior court, a certificate showing the final disposition of such case.

On motion of Mr. Tilton of Ward 4, Laconia, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adop-

tion of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Authority of Agents.* Amend chapter 284 of the Public Laws by inserting after section 24 thereof the following section: 24-a. *Limitations.* No limitations on the authority of the agent of any dealer, not customary in the business, shall be effective to protect the dealer from liability to innocent third persons dealing with such agent.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Approval of Sale.* Amend chapter 284 of the Public Laws by inserting after section 28 thereof the following section: 28-a. *Qualification of Securities.* No registered dealer or his salesmen or agents shall sell or offer for sale securities, except those legal for investments for savings banks in this state, unless such sale has been approved by the commissioner. A dealer desiring to qualify such securities shall submit to the commissioner such descriptive, statistical or documentary information as he may require. The commissioner shall within five days after such information is submitted approve or disapprove the sale of such securities and so notify the dealer. The commissioner may prescribe rules and regulations to carry out the purposes hereof.

On motion of Mr. Varney of Rochester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

SENATE BILLS READ AND REFERRED

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

TAKEN FROM THE TABLE

On motion of Mr. Estabrook of Astead, House Bill No. 335, An act regarding the compensation of county commissioners was taken from the table.

Reported from the special committee consisting of the delegation from the county of Cheshire with the recommendation that the bill ought to pass.

The question being on the amendment previously offered by Mr. Estabrook of Alstead:

Amend the bill by striking out the words "seven hundred fifty dollars" after the words "Grafton" and inserting in place thereof the words "ten hundred dollars."

(Discussion ensued)

Mr. Estabrook of Alstead spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment previously offered by Mr. Dickinson of Rochester:

Amend section 2 of said bill by striking out all of said section and inserting in place thereof the words "this act shall take effect January 1, 1939."

(Discussion ensued)

Mr. Dickinson of Rochester spoke in favor of the amendment and Mr. Callahan of Keene spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

RESOLUTION

Mr. Gorham of Manchester offered the following resolution:

Whereas, the Irish Race has contributed uncreasingly in the making of History in these United States of America,

We must never forget their heroic deeds in the Revolutionary War, when they gave their noble hearted support to the cause of the colonies and our First Commander-in-Chief, George Washington, realizing the co-operation given him by the Irish enlisted in the battle of freedom, instructed his men that the pass word of the army on this day would be Saint Patrick.

In the war of 1812, the Irish again came to the forefront and we who have studied the History of this country, are well aware of the naval success attained by our navy through the efforts of Irish leadership.

And then when our nation was divided in the Civil War, the Irish played a great part in preserving unity and justice.

The part played by the Irish in the war of 1898 must never be forgotten.

When the United States entered the World War the Irish were well represented and rendered heroic deeds on land and sea, and in the air.

During these one-hundred and sixty-one years of Independence, the Irish have played prominent roles during peace times. They have never shirked in their duty.

And this day being dear to the hearts of the Irish people throughout the world, and we, in the State of New Hampshire, being well aware of the activities the Irish have done in the moulding of our state history.

Resolved, that when the House adjourns today, it ad-

journs in honor of Saint Patrick, who has instilled in the hearts of the Irish people, Love of Freedom, Justice and Democracy, also Happiness at any cost in these trying days that confront us, when we are faced with many problems of vital importance to the State of New Hampshire, and may we all, assembled here, be inspired and instilled with integrity and perseverance to face the situations before us like Saint Patrick, who overcame great opposition in gaining his objective.

On a *viva voce* vote the resolution was unanimously adopted.

On motion of Mr. Cummings of Peterborough business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Cummings of Peterborough, the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 96, An act to make uniform the transfer of stock.

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 233, An act relating to taking aureolus trout.

House Bill No. 335, An act regarding the compensation of county commissioners.

House Bill No. 382, An act relative to laying out of highways.

House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire.

House Bill No. 406, An act in relation to tax collectors.

Severally read a third time and passed and sent to the Senate for concurrence.

LETTER OF APPRECIATION

The following letter was read by the Speaker:

Mr. Harrie M. Young,
Clerk of the House of Representatives,
Concord, New Hampshire.
My dear Mr. Young:

Will you please express my deep appreciation to the members of the House of Representatives for the beautiful flowers that were sent at the time of my husband's death.

I wish to thank the House members, too, for the resolutions that recently reached me. Your fine tribute will always be cherished by me and by my five children.

Very sincerely yours,

RUTH RICHARDSON LEWIS,
(Mrs. Herbert S. Lewis)

Littleton, N. H., March 15, 1937.

On motion of Mrs. Cooper of Nashua at 12.40 o'clock the House adjourned.

THURSDAY, MARCH 18, 1937.

The House met at 11:00 o'clock.

The opening exercises were in charge of Richard Snowman of Lebanon, a member of the DeMolay.

The Lord's prayer was delivered by Robert B. Caswell of Portsmouth, Chaplain of the DeMolay.

The Honorable Senator from District No. 16, Senator Wilson, introduced the members of the DeMolay to the House, and spoke briefly on the principles of the order.

LEAVES OF ABSENCE

Mr. Greer of Manchester was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 124, An act relating to the protection of the public against the sale of worthless securities.

House Bill No. 396, An act relating to hours of labor for women and minors.

The report was accepted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge, for the Committee on Appropriations, to whom was referred House Bill No. 219, An act relating to foreign insurance companies and their agents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rogers of Plainfield, for the Committee on Agriculture, to whom was referred House Bill No. 380, An act to assure an adequate supply of proper milk, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 320, An act relating to maternal and child health and to crippled children, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by adding after the word "plans" in line 48 the following: *Provided,* That no official, agent, or representative of the board shall by virtue of sections 11, 12 or 13 of this chapter have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the persons standing in *loco parentis* or having custody of such child. Nothing in sections 11, 12 or 13 of this chapter shall be construed as limiting the power of a parent or guardian or person standing in *loco parentis* to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose, so that said section as amended shall read as follows:

2. *Amendment.* Amend section 4 of chapter 128 of the Public Laws and section 11 of chapter 128 of the Public Laws by striking out the whole of both sections and inserting in the place thereof the following: 11. *Maternal and Child-Health Services.* In addition to the foregoing the board may administer a program of maternal and child-health services, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to provide, develop, extend, and improve state and local maternal and child-health services, including local maternal and child-health services administered by local units, to provide for co-operation with medical, nursing, and welfare groups and organizations, and to provide for the development of demonstration services in needy areas and among groups in special need. Nothing in this section,

however, or in sections 12, 13 or 14 of this chapter, shall in any way affect the operation of the provisions of chapter 116 of the Public Laws, or of chapter 123 of the Public Laws, or of any other provision of the Public Laws providing maternal or child-health services. 12. *Services for Crippled Children.* The state board of health may administer, and is hereby designated as the agency of the state to administer, a program of services for children who are crippled or who are suffering from conditions which lead to crippling, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to develop, extend, and improve services for locating such children, and for providing for medical, surgical, corrective, and other services and care, and for facilities for diagnosis, hospitalization, and after care. 13. *Authorization.* The board is hereby authorized: (a) to formulate and administer a detailed plan or plans for the purposes specified in sections 11 and 12, and to make such rules and regulations as may be necessary or desirable for the administration of such plans and the provisions of this act; (b) to receive and expend in accordance with such plans all funds made available to the board by the federal government, the state or its political subdivisions, or from other sources, for such purposes; (c) to cooperate with the federal government, through its appropriate agency or instrumentality, and with other state and local agencies and organizations, in developing, extending, and improving the services specified in sections 11 and 12, and in the administration of such plans.

Provided, That no official, agent or representative of the board shall by virtue of sections 11, 12 or 13 of this chapter enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in *loco parentis* or having custody of such child. Nothing in sections 11, 12 or 13 of this chapter shall be construed as

limiting the power of a parent or guardian or person standing in *loco parentis* to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

The report was accepted.

Mr. Callahan of Keene moved that the bill with the accompanying amendment be laid upon the table but subsequently withdrew his motion.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 7 by striking out the word "shall" in line 2 and inserting in place thereof the word, may, so that said section as amended shall read as follows:

7. *Short Term Notes.* Prior to the issuance of bonds hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans to be refunded by the issuance of the bonds hereunder.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 196, An act relating to the sale of meat, fish, game and fowl, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the word "Game" so that said title as amended shall read as follows:

Relating to the Sale of Meat, Fish, and Fowl.

Amend section 1 of said bill by striking out the entire section and substituting therefor the following:

1. *Net Weight.* Amend chapter 161 of the Public Laws by adding after section 40 the following new section: 40-a. *Sale of Meat, Fish, and Fowl.* All dressed meat, fresh and salt, meat products, fish and dressed fowls shall be sold or offered for sale by weight, provided, that the provisions of this section shall not apply to the sale of these articles where both buyer and seller in writing agree to other methods of sale.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 286, An act defining house trailers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by adding section 2 to read as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 420, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle, with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 340, An act relating to meetings of the governor and council, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of

the Statutes, to whom was referred House Bill No. 221, An act relating to the choice of certain town officers, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 248, An act relative to commitment to the State Hospital, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 242, An act to increase the tax on beer licenses, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 28, An act relating to the taking of salt water smelt, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 158, An act opening Sunset lake in Greenfield to ice fishing, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 114,

An act relating to the taking of pickerel, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 104, An act relative to taking brook trout in certain waters, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate; subject matter covered by House Bills No. 167 and No. 353.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 289, An act relating to fly fishing in Mirror lake, in the town of Woodstock, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, sobject matter covered by House Bill No. 353.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 157, An act relating to waters closed to fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 358, An act to limit Long pond in the town of Benton to fly fishing only, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 353.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fish-

eries and Game, to whom was referred House Bill No. 372, An act closing Leavitt stream in Milan to fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 212, An act to reopen the tributaries of the Souhegan river to fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 379, An act relating to brook trout in Poverty pond in Andover, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 167.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 159, An act to close the Cockermouth river to fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 288, An act relating to the taking of pickerel from Mirror lake in the town of Woodstock, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 299, An act to close Wheeler reservoir, or Arlington pond, so-called, in the town of Salem to ice fishing, reported the same with the following resolution

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 146, An act closing Corbett's pond in Windham to ice fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 79, An act to close Lake Massasecum in the town of Bradford to ice fishing, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 150, An act closing Northwood lake in the town of Northwood to ice-fishing, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 208, An act to regulate pickerel fishing in Massabesic lake in the towns of Manchester and Auburn, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by House Bill No. 35.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 148, An act relating to ice fishing in Lake Tarleton in Piermont and Warren, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by House Bill No. 118.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 421, An act to provide for a merit or civil service system for state employees, with the recommendation that the bill be referred to the Committee on Judiciary.

Th report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Etsler of Claremont the Clerk was instructed to procure 500 extra copies of the above bill.

TAKEN FROM THE TABLE

On motion of Mr. Barnard of Manchester Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings was taken from the table.

The question being on the amendment, reported by the Committee on Revision of the Statutes.

Amend section 1 of said bill by striking out the word "intervening" in the thirteenth line and the words "unless the town has previously voted upon the same question within one year" in the fourteenth and fifteenth lines, so that said section as amended shall read as follows:

1. *Town Warrant.* Amend section 3 of chapter 45 of the Public Laws by striking out said section and inserting in place thereof the following: 3. *Articles.* Upon the written application of ten or more voters or one-sixth of the voters in town, presented to the selectmen or one of them at least sixteen days before the day prscribed for an annual or biennial meeting, the selectmen shall insert in their warrant for such meeting any subject specified in such application. Upon the written application of fifty or more voters or one-fourth of the voters in town, so presented not less than sixty days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such applicaton. The word "voters" in this section shall mean persons listed as such in the last previous revision of the check-list.

(Discussion ensued)

Messrs. Barnard of Manchester and Winslow of Chesterfield spoke in favor of the amendment.

Mr. Hart of Wolfeboro spoke against the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 374, An act relating to the transportation of high school pupils.

House Bill No. 396, An act relating to hours of labor for women and minors.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representativs:

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

Amend said resolution by striking out the words "and the governor is authorized to draw hs warrant therefor out of any money in the treasury not otherwise appropriated." and inserting in place thereof the words; The sum herein appropriated shall be a charge upon the unexpended balance of the fund provided for by chapter 140 of the Laws of 1919 and chapter 1 of the Laws of the special session of 1919,;

Further amend said resolution by inserting after the words "chapter 1" the words, of the laws;

Further amend said resolution by striking out the words and figures "three thousand dollars ($3,000)" in the first line of the resolution and substituting in place thereof the words and figures, three thousand and ninety dollars ($3,090);

So that said resolution as amended shall read as follows:

That the sum of three thousand and ninety dollars ($3,090) is hereby appropriated for the payment of bonus to those residents of New Hampshire who would have been entitled thereto or to the legal representatives or heirs of of 1919 and chapter 1 of the Laws of the special session of 1919 and who have heretofore and since June 30, 1926, made application therefor, or who may hereafter make application therefor; and the state treasurer is hereby authorized to make payments therefor to those whose names appar on the records in the office of the adjutant general as entitled thereto or to the legal representatives or heirs of

such as have died. The sum herein appropriated shall be a charge upon the unexpended balance of the fund provided for by chapter 140 of the Laws of 1919 and chapter 1 of the Laws of the special session of 1919.

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

SENATE BILL READ AND REFERRED

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Pridham of Newcastle at 12:05 o'clock the House adjourned.

AFTERNOON

The House met at 3 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 196, An act relating to the sale of meat, fish and fowl.

House Bill No. 219, An act relating to foreign insurance companies and their agents.

House Bill No. 286, An act defining house trailers.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

House Bill No. 336, An act relative to speed regulation for the operation of motor vehicles.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 19, An act relating to the duties of selectmen in warning town-meetings.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

RESOLUTIONS

On motion of Mr. Ahern of Concord.

Resolved, that the use of Representatives' hall be granted to the Federal Music Project for a concert by a band of forty musicians from 1:30 to 3:00 p. m. on Wednesday, April 7th. Members of the Legislature and the general public are cordially invited to attend this concert.

Mr. Cheever of Wilton offered the following resolution:

Whereas, we have learned with sorrow of the loss sustained by the member from Lyndeborough, Erwin E. Cummings, in the recent death of his mother,

Be it Therefore Resolved, that we, the members of the New Hampshire House of Representatives, extend to the member from Lyndeborough our sincere sympathy in his bereavement,

And Be It Further Resolved, that this sentiment be printed in our Journal and a copy of the Resolution be sent to the member from Lyndeborough and his family.

On motion of Mr. Remick of Bristol at 3:10 o'clock the House adjourned.

FRIDAY, MARCH 19, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Hammond of Bridgewater, Stevens of Hollis and Odell of Amherst were granted leave of absence for the day on account of important business.

Mrs. Rix of Shelburne was granted leave of absence for the day on account of important business.

RESOLUTION

On motion of Miss Myler of Berlin,

Resolved, that when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 281, An act to create a State Board of Accountancy, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 115, An act relating to permits for the registration of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 403, An act relating to deposits by State Treasurer, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 42, An act relating to licenses for motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Conlon of Concord for the Committee on Liquor Laws, to whom was referred House Bill No. 271, An act relative to the sale of certain alcoholic beverages, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Conlon of Concord for the Committee on Liquor Laws, to whom was referred House Bill No. 291, An act relating to the rules and regulations of the liquor laws, having considered the same, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Myler of Berlin for the Committee on State Hospital, to whom was referred House Joint Resolution No. 85, Joint resolution to provide additional facilities at the state hospital, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in lines 1 and 2 the following: "forty-eight thousand five hundred dollars ($48,500)" and substituting therefor the following: thirty-six thousand five hundred ($36,500); further amend by striking out in lines 10 and 11 the following: "five thousand dollars ($5,000)" and substituting therefor the following: one thousand dollars; further amend by striking out in lines 11, 12 and 13 the following: "to sound proof certain wards in the Infirmary building the sum of five thousand dollars ($5,000); to grade the grounds around the Tobey Building the sum of three thousand dollars ($3,000)." so that said joint resolution as amended shall read as follows:

That the sum of thirty-six thousand five hundred dollars

($36,500) be and the same is hereby appropriated for additional facilities at the State Hospital, as follows:

To make alterations in the third floor of the Walker building the sum of ten thousand dollars ($10,000); to purchase and install kitchen equipment the sum of ten thousand dollars ($10,000); to install a partial sprinkler system the sum of ten thousand dollars ($10,000); to purchase and install metallic food elevators the sum of five thousand five hundred dollars ($5,500); to hard surface the driveways on the hospital grounds the sum of one thousand dollars ($1,000). The governor is hereby authorized to draw his warrants for said sums on any money in the treasury not otherwise appropriated.

The report was accepted, the amendments adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Miss Myler of Berlin for the Committee on State Hospital, to whom was referred House Joint Resolution No. 86, Joint resolution for additional facilities at the state hospital, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of twenty thousand five hundred dollars ($20,500) be and the same is hereby appropriated for additional facilities at the State Hospital to be expended under plans to be approved by the governor and council, as follows:

To construct a carpenter shop building, the sum of eight thousand five hundred dollars ($8,500); to remodel the old piggery building, so called, the sum of two thousand dollars ($2,000); to construct an addition for enlargement of the kitchen in the Walker Building the sum of ten thousand dollars ($10,000). The governor is hereby authorized to draw his warrants for said sums on any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Miss Myler of Berlin for the Committee on State Hospital, to whom was referred House Bill No. 227, An act to provide for an administration building and for an addition to the infirmary building at the state hospital, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and substituting therefor the following: 1. *Appropriation.* The sum of two hundred thousand dollars ($200,000) be and hereby is appropriated for the construction and equipment of an addition to the Infirmary building at the State Hospital; also the sum of seventy-five thousand dollars ($75,000) be and hereby is appropriated for the construction and equipment of an Administration building, provided thaat a federal grant of sixty thousand dollars ($60,000) is obtained; these amounts to be expended in accord with plans and specifications to be approved by the governor and council.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 422, An act relating to revision of check lists, with the recommendation that the bill be referred to the Committee on Elections.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Elections.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 423, An act to establish check list commissioners, with the recommendation that the bill be referred to the Committee on Elections.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Elections.

Mr. Estler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 424, An act relating to primary and election laws, with the recommendation that the bill be referred to the Committee on Elections.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Elctions.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 426, An act relating to municipal water systems, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 427, An act to shorten the form of deeds, mortgages and other instruments relating to real property, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 428, An act legalizing the proceedings of the town meeting held

in the town of Middleton, March 9, 1937, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 429, An act legalizing the March meeting in the town of Hebron, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 430, An act relating to institutions under the supervision of the Bank Commission, with the recommendation that the bill be referred to the Committee on Banks.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Banks.

Mr. Kearns of Manchester for the Committee on Rules reported the following entitled bill, House Bill No. 431, An act relating to project reports of the Water Resources Board, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 121, Joint resolution relating to the New England Council Advertising fund, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first

and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Etsler of Claremont for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committe on Claims.

Mr. Ahern of Concord for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Etsler of Claremont for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted.

On motion of Mr. Sanderson of Pittsfield the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with, and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 125, Joint resolution in favor of the town of Canaan, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first

and second time, laid upon the table to be printed and referred to the Committee on Claims.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossd Bills, to the following house bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 53 (in new draft), An act relating to legacy receipts.

Amend section 1 of said bill by striking out the words and figure "a new section numbered 18-a as follows" in the second and third lines and inserting in place thereof the words, the following new section.

On motion of Mr. Sanderson of Pittsfield the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 163, An act relating to vacancies in county offices.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *County Offices.* Amend chapter 36 of the Public Laws by inserting after section 8 the following new section: 8-a. *Temporary Vacancies.* If any person holding either of such offices shall, by reason of illness, accident, absence

from the state or other cause, become temporarily incapacitated and unable to perform the duties of his said office, the superior court may, upon application of the solicitor or a majority of the county commissioners, declare a temporary vacancy and fill the same, in the manner provided in section 9, for a limited period of time expressed in the appointment and may extend or shorten said period to meet the situation, and may award proper compensation to the appointee for services and expenses.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following joint resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

Read a first and second time and referred to the Committee on Labor.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 115, An act relating to permits for the registration of motor vehicles.

House Bill No. 403, An act relating to deposits by state treasurer.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Daniels of Manchester at 11:40 o'clock the House adjourned.

MONDAY, MARCH 22, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, March 22, 1937.

Mr. Jed B. Jones,
Monroe, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Cummings of Lyndeborough at 7:31 o'clock the House adjourned.

TUESDAY, MARCH 23, 1937.

The House met at 11:00 o'clock.
Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Tilton of Laconia, Ward 4, and Nash of Concord were granted leaves of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 53, An act relating to legacy receipts.

House Bill No. 163, An act relating to vacancies in county offices.

House Bill No. 166, An act relative to the salary of the special justice of the municipal court of Nashua.

The report was accepted.

Mr. Rogers of Plainfield for the Committee on Agriculture to whom was referred House Bill No. 392, An act accepting the provisions of the Act of Congress for the further development of co-operative agricultural extension work, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations to whom was referred House Joint Resolution No. 66, Joint Resolution in favor of Lucien Worthen, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of six hundred seventy-eight dollars and fifty cents ($678.50) be and hereby is allowed and paid to Lucien Worthen of New London, in the county of Merrimack in said state, for compensation, arising from injuries sustained by him while working on a snow plow for the highway department December 28, 1934 and the sum of ten dollars ($10.) be allowed and paid to James B. Worthen, the sum of one hundred seventy-four dollars and fifty cents ($174.50) be allowed and paid to Dr. William Clough, and the sum of one hundred thirty-seven dollars ($137.00) be allowed and paid to the New London Hospital, for

medical and hospital services in connection with said injuries. The sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes to whom was referred House Bill No. 394, An act relating to lines of telegraphs and other companies in highways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 by striking out the period in line 17 and inserting in place thereof a semi-colon, and by inserting the following words after said semi-colon: "the state highway commissioner shall cause such appointments, including such as may have been heretofore made by him, to be recorded in the office of the Secretary of State, who shall keep a record thereof." so that said section as amended shall read as follows:

4. Amend chapter 97 of the Public Laws, as amended by chapter 100 of the Laws of 1935, by striking out section 9 of said chapter 97 as amended, and inserting in place thereof the following:

9. *Jurisdiction of Highway Commissioner.* Petitions filed under sections 2 and 3 of this chapter involving state highways or trunk lines as defined in section 1 of chapter 84 of the Public Laws or any other highway or portion thereof which at the time is maintained in whole or in part with state funds, shall be addressed to the state highway commissioner, who shall have exclusive jurisdiction of the disposition of such petitions to the same effect as is provided for selectmen in other cases, and also shall have like jurisdiction for changing the terms of any such license or for assessing damages as provided in this chapter. The state highway commissioner shall also have the same authority as conferred upon the selectmen by section 4 of this chapter to revoke or change the terms and conditions of

any such license. The state highway commissioner is hereby authorized to delegate all or any part of the powers conferred upon him by the provisions of this section to such agent or agents as he may duly appoint in writing; the state highway commissioner shall cause such appointments, including such as may have been heretofore made by him, to be recorded in the office of the Secretary of State, who shall keep a record thereof. The location of poles licensed upon such petitions shall be entered by the state highway department upon the existing record plans of said department prepared on or after the effective date of this act, such locations shall be entered without cost to the licensee.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 167, An act relating to the taking of fish, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 118, An act relating to pickerel, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Brigham of Goshen for the Committee on Claims, to whom was referred House Joint Resolution No. 95, Joint resolution in favor of Fanny M. Fraser, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Small of Meredith for the Committee on Claims to whom was referred House Joint Resolution No. 118, Joint resolution in favor of George Dempster of Lincoln, county of Grafton, reported the same with the following resolution.

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game to whom was referred House Bill No. 357, An act relating to bear, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adoptd.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 301, An act to regulate the practices of professional engineering and land surveying; creating a state board of registration for professional engineers and land surveyors, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hutchins of Charlestown for the special committee consisting of the Delegation from the County of Sullivan to whom was referred Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the whole of said section and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect at the primary election of 1938 and all acts and parts of acts inconsistent with this act are hereby repealed.

The report was accepted.

The undersigned, a minority of the special committee consisting of the Delegation from the county of Sullivan to whom was referred Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan, having considered the same, and being unable to agree with the majority report the same with the following resolution:

Resolved, that it is inexpedient to legislate.

EARL HOSKING,
EARL F. HOWE,
THOMAS J. SHEEHAN,
WM. L. GAFFNEY,
H. C. CHANDLER,
ERWIN W. QUIMBY,
GEORGE B. CRAM,
EDWIN A. THOMAS,
CHARLES H. PUTNAM,
A minority of the Committee.

Mr. Hosking of Claremont moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Hosking.

(Discussion ensued)

Mr. Hosking of Claremont spoke in favor of the motion. Messrs. Danforth of Acworth, Cummings of Newport, Rogers of Plainfield, and Hutchins of Charlestown spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Hosking of Claremont offered the following amendment:

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Referendum.* This act shall not take effect unless it is adopted by a majority vote of the legal voters of Sullivan

county at the regular annual meeting to be holden in March, 1938. The selectmen of the several cities in said county shall, for said meeting, insert in their warrants an article as follows: "Shall the provisions of an act entitled 'An act establishing commissioner districts in the county of Sullivan,' approved at the 1937 session of the legislature be adopted?" Said vote shall be by printed ballot, and ballots shall be prepared for each town bearing on the face thereof said question. Beneath said question shall be printed the word "Yes" and the word "No" with a square immediately opposite each of said words and the voter shall indicate his choice by making a cross in the appropriate square. The town clerk of each of the towns in said county shall forward to the secretary of state within ten days after the said meeting the result of the vote in his town on said question. The secretary of state shall examine the returns of the vote and declare the result. If it shall appear that a majority of those voting at said meeting have voted in the affirmative the act shall be declared, by the secretary of state, to have been adopted and shall take effect for the nomination and election of county commissioners in 1938.

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

Mr. Danforth of Acworth moved that the rules be suspended and the bill made in order for a third reading at the present time.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Estler of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Etsler of Claremont for the Committee on Rules, reported the following bill, House Bill No. 432, An act to establish a water control commission with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Etsler of Claremont the Clerk was instructed to procure 500 additional copies of House Bill No. 432, An act to establish a water control commission.

RESOLUTION

Mr. Fairbanks of Newport offered the following resolution:

Whereas, the National Commander of the American Legion, the Honorable Harry W. Colmery of Topeka, Kansas, will on April 8, 1937, pay an official visit to this state as guest of his comrades of the American Legion; therefore,

Be It Resolved, that he be invited to address this House at 11:30 A. M., on April 8th; and

Be It Further Resolved, that His Excellency the Governor, the Honorable Council, and the Honorable Senate be invited to join with us on this occasion.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Tuttle of Temple at 11:53 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 392, An act accepting the provisions of the act of Congress for the further delevolpment of cooperative agricultural extension work.

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

House Joint Resolution No. 66, Joint Resolution in favor of Lucian Worthen.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mr. Cheever of Wilton at 3:07 o'clock the House adjourned.

WEDNESDAY, MARCH 24, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Duffy of Keene was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 36, An act to amend the charter of L'Union St. Jean Baptiste Society in Nashua.

House Bill No. 303, An act authorizing the town of Strafford to issue refunding notes or bonds.

Senate Joint Resolution No. 3, Joint resolution authorizing the appointment of a committee to investigate the advisability of having an exhibit for the state of New Hampshire at the New York World's Fair, 1939.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

House Joint Resolution No. 80, Joint resolution providing for the reprinting of the Laws of 1927.

The report was accepted.

RETURN OF VOTES

The Honorable Secretary of State then appeared and laid before the House the return of the votes cast at the recent election March 9, 1937, on the question "Is it advisable to call a convention to revise the Constitution?" 13,605 voted yes, and 13,859 voted no and the proposition was defeated.

COMMITTEE REPORTS

Mr. Gallagher of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of seventy dollars and eighty cents ($70.80) be and the same is hereby appropriated to reimburse Robert E. Sloan for travel expense in attending the legislature for the weeks ending January 8, 15 and 22, 1937, said sum representing mileage of seven hundred and eight miles at ten cents a mile; said Robert E. Sloan having held a contested election seat until deprived thereof by the legislative action seating Raoul Ramsey of Berlin in place of Robert E. Sloan. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 177, An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title ought to pass.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

Mr. Estabrook of Alstead, for the Committee on Military Affairs, to whom was referred House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 264, An act to regulate the practice of barbering, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 433, An act relative to athletic exhibitions, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 232, An act relative to judgment days, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 278, An act to create an interim commission to find ways and means of making more effective the control of intoxicating liquors as a beverage, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Dempsey of Franklin, for the special committee consisting of the Delegation from the City of Franklin, to whom was referred House Bill No. 210, An act in amendment of the city charter of Franklin, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the

House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire

SENATE BILL READ AND REFERRED

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

The bill was read a first and second time and referred to the Committee on Judiciary.

INTRODUCTION

Admiral Dismukes, retired, of Portsmouth, was introduced to the members and spoke briefly.

NEWSPAPER ARTICLE

Mr. Molloy of Nashua addressed the House on an article appearing in a recent issue of a newspaper.

On motion of Mr. Hart of Wolfboro at 11:31 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

Read a third time and passed and sent to the Senate for concurrence.

RESOLUTION

Mr. Maxham of Concord offered the following resolution:

Resolved, That this House has heard with deep regret of the death of Frank J. Kelley of Concord, a former member of this House and long prominent in the political and fraternal life of the State of New Hampshire, and the brother of a present member of the House, John R. Kelley of Newport, Chairman of the Committee on Public Health,

And be it Further Resolved, That the Clerk of the House be instructed to forward a copy of these Resolutions to the family of the deceased with the expression of the deep sympathy of this House.

On a *viva voce* vote the resolution was unanimously adopted.

On motion of Mr. Winkley of Ossipee at 3:05 o'clock the House adjourned.

THURSDAY, MARCH 25, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain as follows:

"Build thee more stately manisons, oh, my soul,
As the swift seasons roll!
Leave thy low vaulted past!
Let each new temple, nobler than the last,
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea!"
(Holmes)

PRAYER

Our heavenly Father, we render Thee our praises at this morning hour for the loving care that has kept us thus far. Help us, we pray, to be supremely dissatisfied with our attainments. Help us to strive earnestly to outgrow our

thoughts and our present life boundaries, that each year may bring larger and better thinking and living. Help us to push back our mental horizons and lift our souls above the shadows and walk joyfully with Thee toward a better world. In the name of the Master. Amen.

ADDRESSES

The House and Senate being in Joint Session, the Speaker introduced the Hon. J. W. Huston, Supervisor of Legal Affairs and Research, Department of Finance, State of Illinois, who delivered the following address:

Ladies and gentlemen of the Legislature of New Hampshire. I have come from Springfield, Illinois, the capital of our state, to say a few words about the Illinois Sales Tax. You know your problem, the problems of your state, and they may be somewhat, and no doubt are similar in many ways, to the problems of Illinois. But, I think every state's is different and as I am not familiar with the precise problems before you, gentlemen, I will confine myself to the "sales tax" in the State of Illinois.

Our sales tax act became effective July 1, 1933. It was passed because the state was in dire need of revenue primarily to finance unemployment relief. The state was also in a chaotic financial condition early in 1933. The state had been borrowing on state tax anticipation, diverting money from highway purposes to meet payroll and bond interest. It had been defaulting upon the common school fund of the state and in payments to counties for blind relief. Money was required and required in large quantities immediately.

Two years before our Supreme Court had held unconstitutional a state income tax. Our state Constitution was in effect since 1870, and although we had tried to amend it, the Revenue Article allows very limited scope for taxation, and it would have appeared that the sales tax was the only remedy for us, and accordingly one was passed. The first sales tax was held unconstitutional because it held exemp-

tions for gasoline, certain farm items, and other exemptions. Another sales tax was immediately passed July 1, 1933, and that is the act which we now operate under.

The RETAILERS' OCCUPATION TAX is at the rate of three per cent (3%) from gross receipts from tangible personal property of retail sale. This is the largest single source of revenue of the state treasury. The first fiscal year of its operation, under a 2 per cent rate, yielded $36,000,000. The second year yield was some $41,000,000—the rate was then raised to 3 per cent. The yield for the fiscal year 1936 was $65,000,000. Our monthly collections have increased tremendously and we expect from $72,000,00 to $75,000,000 during the present fiscal year . This is attributed to the increasing business conditions as compared to the increased revenue from the tax. I might say that during the present fiscal year the sales tax will yield between 45 and 50 per cent of all revenue brought into the state treasury. Those are the salient facts, I believe, concerning our sales tax.

Now, about public approval. When the tax was first in effect there was a great deal of opposition from the retail merchants of the state. They opposed the tax. But now that it has been in effect almost four years, I can say that retail merchants of Illinois are the one group—the paramount group—that is cooperating 100 per cent with our department in the enforcement of this act. They have good reason to because if so-called "chisellers" don't pay the tax the result in a competitive condition to the honest merchant.

There is very little sentiment for repeal of the sales tax. Many people realize that, although, we might have a better tax system. The program considerations are unlimited in our power to levy taxes and so we must have the tax for relief, for our schools, farms, and other things. It is my opinion that the sales tax is no longer a political question.

I base this on the recent election. The present Governor advocated the sales tax and defended it. The opponent did not advocate the repeal. I take that to mean that the tax is no longer a live political issue.

There are questions as to whether this tax should be enforced better, whether some other system of collection would be better, but the principle has been accepted.

In Illinois we have the problem of interstate commerce, which as you know cannot be taxed by the states. It was more troublesome perhaps in the earlier period of the tax than now. We have a great industrial area across the Mississippi River to St. Louis, Missouri. Approximately 250,000 people live in that area—just a short trip over the River. There is only a one per cent tax in Missouri as compared to our three per cent. We recently (in the last year) have received very little complaint from the interstate commerce angle. The principal disadvantage is in the merchandise, such as coal, automobiles, furniture—things which people can afford to go some distance to buy. Even there, I can recall no complaint by the furniture dealers. The automobile dealers have met the situation somewhat by getting a law enacted whereby a $15 "certificate of title" fee is charged if an automobile is registered outside of the state that had not been previously registered. That seems to satisfy the automobile dealers. Now with respect to these interstate commerce problems, I would say there is no problem, but there is, possibly, the biggest problem we face in determining whether there is this interstate commerce. But in general, our people are not suffering excessively from interstate commerce competition.

I would say the thing that bothers most people is the addition to small purchases. Most merchants add one cent to 15 cents and we get dozens of letters saying that one cent on 15 cents is 6 per cent or so and not three per cent. We tried to meet the problem by issuing tokens in one and one-half mill denominations in order to be able to pay the tax on a five-cent sale. However, our constitution does not permit the use of these. If a merchant wanted to use tokens he would come in and buy them from us and we would redeem them. It has turned out that they don't like them. The system most common in use is a one cent tax on 15

cents; 2, on 40 to 70; and 3, over 70, etc., although they are not required to add three cents to the department. The tax is 3 per cent on gross receipts. It is purely a matter of price. If a merchant believes he can charge $1.03 for a necktie his price is $1.03 and the customer decides whether he wants to pay that price. I wouldn't want to advise any other state on how to meet these particular problems but in Illinois, as I say, we tried to meet the problem by issuing the token. If this could have been made mandatory they would have been satisfactory, but they have fallen into disuse.

We have met the general problem of public acceptance of our tax by a program of public education in finances of our state. We have 7,000,000 merchants including the merchants in the city of Chicago which aggregate about 3½ million. We can't hope to reach all seven million but we have operated through influential groups, people who are leaders in communities and in their trade. Our theme has been "Where the money goes." We have certain obligations which our state must meet. We must take care of our unemployed people, take care of our schools, aid our blind, and the problem of old age pensions, which is a terrific financial debt. We have our state institutions and the general functions of our state government. The attitude of the man on the street in Illinois is like this: Some one will ask about the sales tax—well nobody likes taxes, but the general reply is, "I guess the state needs the money."

In our program we issue THE ABC OF ILLINOIS FINANCES. Thirty thousand copies were distributed during the past year among Women's Clubs, Schools, Chambers of Commerce, Trade Associations, etc. They were all glad to get them and many Chambers of Commerce took it upon themselves to distribute them among their members. Also, here is a copy of our motnhly return. Of course, you can't see what it is, but on the back reads, "HOW THE RETAILERS' OCCUPATION TAX Revenue Is Distributed," "Saves Millions for Taxpayers!

$179,758,000 in interest charges must be paid by Illi taxpayers on $285,000,000 in bonds that have been iss since 1918. This huge sum—$179,758,000—could have been saved the taxpayers if the State had been on a "Pay As You Go" basis as it is today. It is the 3% Retailers' Occupation Tax that enables Illinois to pay as it goes. It eliminates new bond issues and saves taxpayers millions of dollars in interest." While I don't know that has brought about public acceptance to the tax, I think it has done a great deal. That is the type of thing we have been doing in Illinois. I will be glad to answer questions when the time comes, and I trust that you have not been too bored by the recital of the trials and experiences of a state as far away from New Hampshire as Illinois is. Thank you.

He was followed by the Hon. J. H. Thayer Martin, State Tax Commissioner of the State of New Jersey, who delivered the following address:

Mr. Governor, Members of the New Hampshire Legislature, and others. I have no prepared text today. I wasn't even assigned a specific subject when I was invited to come over here. Of course, I understand that I was to speak on the sales tax and the New Jersey aspect of the sales tax. I didn't came here prepared to offer any advice to the state of New Hampshire. If I had come prepared with any such idea, I would have abandoned it on reading, this morning, the editorial in your nearest local newspaper which I bought and perused on reaching town this morning. I observed the extreme courtesy in which the state of New Hampshire welcomed the gentlemen from Illinois and New Jersey, and told this very plainly that New Hampshire did not want any advice from outside of the state. So I assume you, I will try to offer no advice.

Some of the representatives of your state government met me down in Washington this winter at the meeting of the Assembly of State Governments, which is a great co-

operative state organization, and asked me at that time to tell them the inside story of why New Jersey repealed its sales tax so quickly. And, I suspect that those gentlemen would rather have me tell you that same story than tell you anything else about the New Jersey experiences with the sales tax. I think I will go into it to some extent.

The answer to the question of why New Jersey abandoned the state sales tax in less than four months can be answered in a single word—politics—nothing else. New Jersey hasn't a situation so very different from yours in New Hampshire. I read with great interest the report of your own tax commission on the tax crisis in New Hampshire, and there isn't much difference between yours and ours except in detail. You have an average tax rate of over $3.00, we have in New Jersey an average tax rate of over $4.00. The worst feature in Jersey is that New Jersey municipalities not only spend a lot of money, but spend a terrific amount of money they don't have and are now engaged in paying off the debts they incurred in the days when money was so easy to borrow, and the headache of debt is the biggest burden on the taxpayer in New Jersey.

Now when I said Politics was the answer to the repeal of sales tax in New Jersey, I don't mean that politics in the department had anything to do with this. We try to keep that out. I understand here in New Hampshire you have eliminated politics in your Tax Department by making it appointive by the Court so that it does not become a political annex.

In New Jersey, the politics that I speak of, was legislative politics. The sales tax issue was raised in New Jersey at the time of our last campaign for Governor, three years ago. During the campaign the party to which I belong, and to which I suppose most of you in New Hampshire belong, ran as its candidate, a young man who was extremely popular personally. The newspapers of the state, most of which professed to be independent, but are always lined up supporting the democratic candidate for Governor, were

unanimously opposed to this young Republican and said he wasn't competent and not likely to be elected and he was elected in spite of this almost unanimous newspaper opposition. In his inaugural message he announced that New Jersey, in order to solve tax difficulties, should revise the tax system. In Jersey, at that time, we had neither an income tax nor sales tax nor any other tax that affected the ordinary citizen except the property tax and that is still the situation in New Jersey. The Governor recommended, in the first place, economy in government and, in the second place, a revision of the New Jersey tax base by adoption of a sales tax and an income tax. The retail merchants in New Jersey, as is probably the case everywhere else, very much disliked the idea of a sales tax and immediately organized to combat that idea and as the retail merchants are the advertisers in the local newspapers, they had no difficulty in organizing the newspapers to oppose the sales tax. Every newspaper that had opposed the election of the successful candidate for Governor immediately opposed the proposal for a sales tax. Also the influential gentlemen and owners of the large newspapers were equally opposed to income tax but did not want to make so much noise about opposing, so that they succeeded in bottling up the proposal of income tax without making much noise about it and devoted public opposition to the sales tax. After the sales tax was adopted then one of the leading arguments that was used to urge the repeal was that it imposed such an unfair burden on poor persons because it took so much more of his income than it did from the rich person and the rich person did not have any compensating tax like income tax. Then, in order to stall off the time for enactment of any revision of the tax law, the newspapers immediately began to sing the song that there shouldn't be any new tax of any kind until after economy had been brought to pass in the state and local government. Now economy is something that can't be brought to pass by Legislature or any other edict. It means unremitting work and takes quite a while to pro-

duce results. The newly elected Governor had started economy in state government and had produced a great deal of it before the newspapers had begun to talk about this economy. It is very much easier to talk about economy than propose specific measures and the only specific measure of economy that has yet been proposed was the diversion of gasoline tax from highway to the relief of other tax in New Jersey. That meant turn the fund directly into the emergency relief fund because they haven't yet made any proposal to reduce local taxes. Now the political scrap in New Jersey that produced or blocked or wiped out the sales tax was not a political fight between the Democratic Party and the Republican Party, but a fight between two sections of the Republican Party. It happened that a new face in the New Jersey legislature that year was a minister from the largest county in the state who had been elected to the legislature on the platform of reforming the Republican party in that county. The delegation there was elected on the basis that they were going to reorganize the Republican Party in that County, but when they got down to Trenton they said, "We will not vote for any new taxes until there has been economy." When that delegation was taken out of the line-up there were left not enough Republicans to provide the 31 votes that were necessary to pass any bill in the lower house in New Jersey. Therefore, no new tax measures could be passed without the votes of Democrats and the sales tax again was passed without a diversion measure with the aid of about a dozen Democratic votes and immediately the reform Republicans in Legislature and the newspapers announced that the sales tax was passed as a result of a deal between the Republican Governor and the Democratic force of the state. Immediately the newspapers denounced that infamous deal and said it was the group in opposition to this reform group of economizers led by the Reverend gentleman that I have mentioned. Now he is going to be a candidate for the Republican nomination for Governor this fall. In New Jer-

sey the Governor cannot succeed himself, and therefore the present Governor is not and cannot be a candidate for re-election and the political rivalry in the Republican Party is to whether this Reverend gentleman should be the candidate for Governor, this fall, or whether some other candidate should be. This is the real reason why the sales tax was repealed so quickly. That added to the fact that the newspapers were influenced by the demands of their advertisers that almost every newspaper in the state falsified their editorial as well as news columns in discussing the question.

Now, if in New Hampshire, you are likely to have the same sort of a political issue made of the sales tax as was made in New Jersey it will be just too bad. A matter of taxation ought to be considered on its merits and not on points of view as to whether it will make someone a Governor or if it will not make him a Governor. In New Jersey the citizens as a whole were satisfied with the sales tax. There were two counties in the state at the election (at the time the tax was repealed and only two where the sales tax was a direct issue) where candidates on opposite sides stood for and against the sales tax. In the County of Union, one of the large counties, during the Republican Primary there was a candidate for Senator who had voted for and still supported the sales tax and there was also another candidate in the Primary whose platform was repeal the sales tax. There was another county on the seashore which includes some of our New Jersey beaches, where precisely the same issue was raised. In both of those contests the Republican nominee supporting the sales tax was oppesed by a Democratic nominee who opposed it. And, in both cases the Republican nominee was elected. There was in another county in the state a campaign where one candidate supported the tax and another candidate opposed it—those two were the only ones where the sales tax was a direct issue. In my opinion, if the sales tax were submitted to a referendum in N. J. a majority would vote

against it because a majority of the people in New Jersey think they don't pay any tax except sales tax and they think it is to their advantage to retain that position and the people who think they don't pay any tax expect a sales tax would all vote against a sales tax. Aside from those people who think they don't pay any tax, I believe the sentiment in New Jersey is strongly in favor of a sales tax and the sales tax that we have.

Like the gentleman from Illinois, I will be very glad to answer any questions. Of course, I haven't been able to give you the whole story of the fight in New Jersey. Obviously it couldn't be done in this brief time, but I have tried to give you an honest, bird's-eye view of the kind of contest we have. If in New Hampshire you are going to have a contest in which the purely political question is going to supersede the question of what is a sound tax as I said, it is just too bad."

LEAVES OF ABSENCE

Mr. Boutwell of Concord was granted leave of absence for the day on account of important business.

Mr. Hutchins of Wentworth was granted leave of absence for the day on account of illness.

Mrs. Atwood of Barrington was granted leave of absence for the day on account of attending a funeral.

Mr. Etsler of Claremont was granted leave of absence for Thursday and Friday on account of important business.

Mr. Bolton of Manchester was granted leave of absence for Thursday and Friday on account of illness in family.

Mr. Hamilton of Lisbon was granted leave of absence for the rest of the week on account of important business.

COMMITTEE REPORTS

Mr. Perkins of Holderness for the Committee on Fisheries and Game to whom was referred House Bill No. 6, An act relating to taking of raccoon, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 3, chapter 200 of the Public Laws, as amended by section 4, chapter 124 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

3. *Raccoons.* Raccoons may be taken and possessed with the aid or by the use of a dog and gun in Grafton County from October fifteen to December thirty-first and in all the other counties of the state from October first to December thirty-first, and by the use of traps from November first to January first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre long, or a pistol or revolver larger than thirty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Estabrook of Newton for the Committee on Claims to whom was referred House Joint Resolution No. 53, Joint resolution in favor of Archie LeBoeuf, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the words and figures "one hundred fifty dollars ($150)" and inserting in place thereof the words and figures, seventy five dollars ($75), so that said resolution as amended shall read as follows:

That the sum of seventy five dollars ($75) be allowed

Archie LeBoeuf, of Hudson, for damages due to loss of a cow on August 15, 1935, resulting from negligence on the part of an employee of the highway department. Said sum shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Perkins of Holderness for the Committee on Fisheries and Game to whom was referred House Bill No. 353, An act relating to fly fishing, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Winslow of Chesterfield for the Committee on Public Health to whom was referred House Bill No. 277, An act relating to marriage, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Hilton of Keene for the Committee on Transportation to whom was referred House Bill No. 191, An act relating to the weights of motor vehicles, reported the same in a new draft with the recommendation that the bill be recommitted to the Committee on Transportation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Ahern of Concord for the Committee on Rules having considered the subject reported the following joint resolution, House Joint Resolution No. 126, Joint resolution relative to a commission for investigation of the purchase of school supplies, with the recommendation that the joint resolution be referred to the Committee on Education.

The report was accepted, the joint resolution read a first and second time.

Mr. Wylie of Concord moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the joint resolution made in order for a third reading at the present time.

The question being on the motion of Mr. Wylie.

(Discussion ensued)

Mr. Wylie of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Estabrook of Newton, for the Committee on Claims, to whom was referred House Joint Resolution No. 119, Joint resolution in favor of Winston H. Pote, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 310, An act limiting the rate of interest chargeable by finance companies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 1, An act relating to hours of labor, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 346, An act relative to the settlement of suits brought for minors.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

House Bill No. 415, An act legalizing the proceedings of the annual town meeting held in the town of Bristol, March 9, 1937.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan.

On motion of Mrs. Sliney of Lebanon at 12:24 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

RESOLUTION

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns today it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourns to meet on Monday evening at 7:30 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 6, An act relating to taking of raccoon.

House Bill No. 417, An act authorizing the Conway Village fire district to issue refunding notes or bonds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Graves of Keene at 3:04 o'clock the House adjourned.

FRIDAY, MARCH 26, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Durham, N. H., March 26, 1937.

MR. GEORGE H. NASH:
Concord, N. H.

Dear Sir:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Daniels of Manchester at 9:01 o'clock the House adjourned.

MONDAY, MARCH 29, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, March 29, 1937.

Mr. Jed B. Jones,
Monroe, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Seymour of Carroll, at 7:31 o'clock the House adjourned.

TUESDAY, MARCH 30, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Park of Keene was granted leave of absence for the day on account of important business.

Mr. Etsler of Claremont was granted leave of absence for Wednesday on account of attending a funeral.

Mr. Carpenter of Wolfeboro was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Tarlson of Laconia was granted leave of absence for Tuesday and Wednesday on account of death in family.

DEATH ANNOUNCED

The Speaker made the following announcement:

I am sorry to have to announce this morning the passing on of one of the members from Meredith, Mr. Small.

The following members were asked to represent the House at the services yesterday:

Mr. Martin of Meredith, Mr. Newell of Laconia, Mr. Sanders of Laconia, Mr. Tilton of Laconia, Mr. Normandin of Laconia, Mrs. Smith of New Hampton.

I am appointing these members to prepare suitable resolutions.

ANNOUNCEMENT

The Speaker announced the appointment of Mr. Jones of Keene as chairman of the Committee on Normal Schools.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 19, An act relating to the duties of selectmen in warning town meetings.

House Bill No. 415, An act legalizing the proceedings of the annual meeting held in the town of Bristol, March 9, 1937.

House Joint Resolution No. 67, Joint resolution providing for marking a monument in cemetery in Hudson.

House Joint Resolution No. 124, Joint resolution in favor of Ruth R. Lewis.

House Joint Resolution No. 126, Joint resolution relative to a commission for investigation of the purchase of school supplies.

House Bill No. 346, An act relative to settlements of suits brought for minors.

House Bill No. 383, An act establishing a commission for the promotion of the wealth and income of the people of New Hampshire.

House Bill No. 384, An act legalizing the November election in the town of Londonderry.

The report was accepted.

Mr. Munroe of Andover, for the Committee on Engrossed Bills, to whom was referred House Bill No. 243, An act relating to criminal appeals, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by inserting the words, the date, of, after the word "after" in the ninth line.

The report was accepted.

On motion of Mr. Sanderson of Pittsfield the amendment was adopted.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Gage of Manchester, for the Committee on Claims, to whom was referred House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out in the first and second lines the following: "seven hundred and sixty-one dollars ($761)" and inserting in place thereof the following, three hundred and fifty dollars ($350), so that said joint resolution as amended will read as follows:

That the sum of three hundred and fifty dollars ($350) be and the same hereby is appropriated in favor of Peter Lajoie to reimburse him for expenses sustained by him as a result of accidental injury occasioned by alleged negligence of employees of the state highway department while he was traveling along the state highway in the town of Colebrook on October 24, 1932. Said sum shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 408, An act relative to the annual registration fee for the practice of optometry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Cormier of Nashua for the Committee on Revision of the Statutes, to whom was referred House Bill No. 224, An act relating to the observance of the Lord's Day, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Callahan of Keene moved that the words "inexpedient to legislate" be substituted for the words "ought to pass."

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Messrs. Callahan of Keene, Hoyt of Sandwich and Kearns of Manchester spoke in favor of the motion. Messrs. Molloy of Nashua, Sanborn of Wakefield, Wilcox of Nashua, Cormier of Nashua and Ahern of Concord spoke against the motion.

Mr. Ahern of Concord asked for a division.

A division being taken 183 members voted in the affirmative and 137 members voted in the negative, and the motion to substitute prevailed.

Mr. Bouthillier of Nashua demanded the yeas and nays, and the roll was called with the following result:

YEAS, 197

ROCKINGHAM COUNTY: Shaw, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Tozier,

Syphers, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Turcotte of Newmarket, Estabrook of Newton, Knowles, Mudge, Palmer of Plaistow, Cogan, Badger, Gile, Manor, Peever, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Hayes of Dover, Henderson of Dover, Durkin, Caswell, Garland, Blanchard, Richards, Longley, Jenkins, Berry, Dustin, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Nutter of Rollinsford, Habel, Labonte, St. Laurent.

BELKNAP COUNTY: Little, Adams of Belmont, White, Hunt, Edgerly, Guay, Normandin, Hoyt of Laconia, Newell, Sanders, Martin, Smith of New Hampton.

CARROLL COUNTY: Russell, Downs, Mudgett, Quint, Head, Huntress, Winkley, Hoyt of Sandwich, Wiggin.

MERRIMACK COUNTY: Munroe, Carter, Coakley, Rivet, Stearns of Concord, Kemp, Boutwell, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Maxham, Sharaf, Donovan, Nutter of Epsom, Douphinett, Rowe, Johnson of Hooksett, Ball, Merrill of Loudon, Carr, Dupont, Perkins of Pittsfield, Hill.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Pattee, Reynolds, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Corey, Connelly, Arthur J., Ward 6, Manchester, Farrell, Gagnon, Gaudreault, Kearns, Sweeney of Ward 11, Manchester, St. Germain, Maker, Foster, Wadleigh, Winslow of Nashua, Corliss, Currier, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Sawyer of Jaffrey, Callahan, Knowlton of Keene, Jones of Keene, Gates, Hilton, Spaulding, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, King, Britton, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Gaffney, Hosking, Howe,

Putnam of Claremont, Quimby, Sheehan, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers, Osborne.

GRAFTON COUNTY: Plumer, Davis, Goodwin, Hammond, Remick of Bristol, Pulsifer, Walbridge, Remick of Groton, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, French, Collins, Hamilton, Hildebrand, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Barden, Roy, Studd, Felton, Ramsay of Colebrook, Chandler of Gorham, Thompson of Lancaster, Fogg of Milan, Judd, Rix, Fuller, Whitcher.

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ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Dickinson of Danville, Fecteau, Scammon, Beede, Emerson, Rousseau, Barrett of Portsmouth, Kittredge, Gray, Yeaton, Canty, Finnigan, Rose, Marston, Drowne, Adams of Seabrook.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Blaisdell, Lucas, McDonough, Durnin, Caldwell, Whitehouse, Colby, Cartier, Seavey, Lagueux, Boucher, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, O'Shan, Tilton of Ward 4, Laconia, Dickson of Laconia, Helms, O'Shea.

CARROLL COUNTY: Churchill, Day, Banfield, Sanborn, Hart.

MERRIMACK COUNTY: Courtemanche, Brown of Bow, Baker, Mansur, Matson, Wiley, Ahern, Carignan, Lemire, Dempsey, Mitchell, Sanderson, Mock.

HILLSBOROUGH COUNTY: Charois, Stearns of Hancock, Knowlton of Manchester, Barnard, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Clougherty, Sullivan of Ward 4, Manchester, Clancy, O'Brien, Sweeney of Ward 5, Manchester, Gorham, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere,

Lesmerises, Frost, Atherton, Cooper, James, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney.

CHESHIRE COUNTY: Winslow of Chesterfield, Robertson, Graves, Granger, Barrett of Troy, Relihan, Horner.

SULLIVAN COUNTY: Daly, Etsler, Thomas.

GRAFTON COUNTY: Bailey of Bath, Hunter, Lanyon, Perkins of Holderness, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Sliney, Madden, Magoon, Soper, Merrill of Plymouth, Taylor, Sawyer of Woodstock.

COOS COUNTY: Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Dutil, Myler, Seymour, Dickson of Colebrook, Parkhurst, Jordan of Errol, Willis, Parker, Cryan, Johnson of Northumberland, Marshall, Brown of Stratford.

And the motion to substitute prevailed.

The question being on the resolution that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 57, Joint resolution in favor of Archie Drouin, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 412, An act relating to evidence in gambling, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

BILLS FORWARDED

Senate Bill No. 10, (in new draft), An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

Taken from the table.

Mr. Saltmarsh of Concord offered the following amendment:

Amend section two of said bill by striking out in lines 10 and 21 the word "January" and inserting in place thereof the word April, so that said section as amended shall read:

2. *What Used.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle so operated, provided, however, that for the period from April first to March thirty-first, inclusive, in any year the owner of a motor vehicle, trailer, semi-trailer or tractor, which has been properly registered in accordance with the provisions of law for the preceding calendar year may display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said number plates of said preceding year in place of the number plates then in use. Such motor vehicles, trailers, semi-trailers and tractors displaying such number plates of the preceding year shall be deemed to be properly registered for the period in any year from April first to March 31st inclusive.

The question being on the amendment.

(Discussion ensued)

Mr. Saltmarsh of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 177, (in new draft and new title), An act

to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

Taken from the table and ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 383, An act establishing a commission for the protection of the wealth and income of the people of New Hampshire.

House Joint Resolution No. 126, Joint resolution relative to a commission for investigation of the purchase of school supplies.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 200, An act to legalize certain investments by trustees.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 335, An act regarding the compensation of County Commissioners.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Cheshire County.* Amend section 28 of chapter 38 of the Public Laws, as amended by chapter 111 of the Laws of 1927, and chapter 153 of the Laws of 1931 and chapter 186 of the Laws of 1933 and chapter 154 of the Laws of 1935, by striking out the words "seven hundred" after the

word "Cheshire" and inserting in place thereof the words "ten hundred," so that the said section as amended shall read as follows:

28. *Salaries.* The annual salary for each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, ten hundred dollars;

In Strafford, twelve hundred dollars;

In Belknap, nine hundred dollars;

In Merrimack, ten hundred dollars;

In Hillsborough, twenty-one hundred dollars;

In Cheshire, ten hundred dollars;

In Sullivan, nine hundred dollars;

In Grafton, ten hundred dollars;

In Carroll and Coos counties each commissioner, when employed in the business of the county and in inspecting the taxable property of the towns as provided in section 26, shall receive five dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties except Strafford, a reasonable sum for all necessary expenses, upon order of the county auditors.

On motion of Mr. Graves of Keene the House concurred in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 63, An act to secure the attendance of witnesses from without the state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure in interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons

convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

SENATE BILLS READ AND REFERRED

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure in interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

Mr. Scammon of Exeter moved that the rules of the House be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading this afternoon at 3:00 o'clock.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the motion prevailed and the bill was ordered to a third reading.

SPECIAL ORDER

Mr. McCooey of Dover called for the special order,

House Bill No. 247, An act relating to the register of deeds for Strafford County.

Reported from the committee with the recommendation that the bill ought to pass.

A minority of the committee reported that it is inexpedient to legislate.

The question being,

Shall the report of the minority be substituted for the report of the majority?

(Discussion ensued)

Messrs. Barry and Dustin of Rochester having voted with the minority desired to have their names withdrawn from the report of the minority.

Their request was granted.

Messrs. Wylie of Concord, Dickinson of Rochester, McDonough of Dover, and Jenkins of New Durham spoke for the motion, Messrs. McCooey of Dover, Cormier of Nashua, Berry of Rochester, Seavey of Rochester and Tilton of Ward 4, Laconia, spoke against the motion.

PERSONAL PRIVILEGE

Mr. Wylie of Concord rose to a question of personal privilege and stated that he did not make the remark attributed to him.

Mr. Sanderson of Pittsfield rose to a question of personal privilege and stated that he saw no reason to change the remark attributed to him.

Mr. Tilton of Ward 4, Laconia asked for a division.

A division being taken 207 members voted in the affirmative and 98 members voted in the negative and the motion to substitute prevailed.

On a *viva voce* vote the resolution reported by the committee was adopted.

On motion of Mr. Havican of Brentwood at 1:05 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mrs. Mason of Berlin the rules were suspended and the third reading of bills by their titles made in order.

House Bill No. 177 (In New Draft and New Title), An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 10, (In New Draft), An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers, and tractors.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

RESOLUTIONS

On motion of Mr. Chase of Manchester,

Resolved, that when the House adjourns this afternoon it be in memory of former Governor Albert O. Brown.

On motion of Mr. Little of Barnstead,

Whereas, The House has learned of the death of Mr. George W. Tarlson, Senior, a former member of the House and the father of George W. Tarlson, Junior, a present member of the House, and Doorkeeper, Clifton B. Tarlson;

Therefore, Be It Resolved, That we extend to these brothers and other members of the bereaved family our sincere sympathy,

And Be It Further Resolved, That when the House adjourns today, it adjourn in respect to the memory of Mr. Tarlson,

And Be It Further Resolved, That a copy of these Resolutions be sent to the bereaved family.

On motion of Mrs. Hoyt of Lebanon at 3:17 o'clock the House adjourned.

WEDNESDAY, MARCH 31, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Mansur of Concord and Rowe of Henniker were granted leave of absence for the day on account of important business.

Mr. Fowler of Hill was granted leave of absence for the day on account of illness.

Mr. Brown of Bow was granted leave of absence for Thursday and Friday on account of important business.

Mr. Lovely of New London was granted leave of absence until further notice on account of illness.

NOTICE OF RECONSIDERATION

Mr. Durkin of Dover presented the following:

Having voted with the majority on House Bill No. 224, An act relating to the observance of the Lord's Day, I hereby give notice that on today or some subsequent day I will move to reconsider the vote whereby the House voted the bill inexpedient to legislate.

Mr. Kearns of Manchester moved that the vote be reconsidered at the present time, and on this motion asked for a division.

A division being taken 63 members voted in the affirmative and 231 members voted in the negative and the motion did not prevail.

COMMITTEE REPORTS

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Appointment of Interstate Bridge Authority.* In accordance with the provisions of chapter 4 of the Laws of the special session of 1936, the governor, with the advice and consent of the council, shall appoint the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority. Not more than two of said members shall belong to the same political party.

2. *Term of Office; Vacancies; Removal.* Said members other than the highway commissioner shall hold office for terms of two and four years respectively, the length of the term of each to be fixed in his commission and each shall continue in office until his successor has been appointed and qualified. On the expiration of each of said terms the succeeding member shall be appointed for a term of four years. If a vacancy shall occur it shall be filled for the remainder of the term. Either member may be removed by the governor and council for cause.

3. *Compensation of Members.* Said members of said Authority for this state, other than the highway commissioner, shall be paid, for such time as they are actually engaged in the work of the Authority, such sum per day as the governor and council may determine, provided such sum shall not exceed eight dollars a day each. All members shall be allowed their actual expenses. The compensation and expenses provided for herein shall be a charge upon the funds of the Authority.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 281, An act to create a state board of accountancy, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend section 6 by inserting in line 6 before the word "negligence" the word, wilful; further amend by striking out in lines 7, 8, 9, 10, 11, 12 and 13 the words "The board may promulgate and may amend from time to time canons of professional ethics and may temporarily suspend for a period not exceeding two years the effect of the certificate of any certified public accountant who violates such canons of professional ethics, this power of suspension being in addition to, and not in limitation of the power to revoke or suspend heretofore provided in this section," so that said section as amended shall read as follows:

6. *Revocation.* The board of accountancy by majority vote thereof may permanently revoke or temporarily suspend the effect of any such certificate of any certified public accountant who has been convicted of a felony by the courts of this state, or any other state, or has been guilty of any fraud or deceit in obtaining such certificate, or who has been guilty of wilful negligence or wrongful conduct in the practice of professional accountancy. Notice of the cause for such contemplated action and the date of hearing thereon by the board shall be mailed to the holder of such certificate at his or her registered address at least twenty days before said hearing. No certificate issued under this act shall be revoked or the effect thereof suspended until the board shall have had such hearing, but the non-appearance of the holder of any certificate after notice as herein provided shall not prevent such hearing.

At all such hearings the attorney-general, or an assistant designated by him shall appear and represent the interests of the public. By majority vote the board may reissue the certificate of any certified public accountant whose certificate shall have been revoked and may modify the effect of the suspension of any certificate which has been suspended.

Amend section 8 by inserting in lines 20 and 24 after the word "Governor" the words, and council, so that said section as amended shall read as follows:

8. *Annual Registration.* The board of accountancy shall require all such certified public accountants one year after their admission to practice in this state, and annually thereafter, to register at the office of the board of accountancy by filing a statement of their residence and place of business on these dates, and such other pertinent information as the board of accountancy may require, and the payment of a fee of five dollars, and they shall thereupon be entitled to a certificate that their names, places of residence, and places of business are recorded in the office of the board of accountancy and in the office of the secretary of state. The fees collected under this chapter shall be paid into the state treasury, and the state treasurer, on warrant of the governor, shall pay out of the funds so paid into the treasury all expenses incident to the examinations, the expenses of issuing certificates and fees and expenses of the members of the board while performing their duties under this chapter, and shall also place in the hands of the board of accountancy as a working fund such sums as the governor may approve, the same to be advanced out of the fees paid into the treasury by the board. An account thereof shall be made to the state treasurer monthly, or as much oftener as the governor and council shall direct. No expenses incurred under this chapter shall be a charge against the general funds of the state. The board shall annually report the number of certificates issued and the

receipts and expenses under this chapter during each fiscal year to the governor and council.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 410, An act establishing a secondary highway system, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rice of Rindge, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said joint resolution by adding at the end thereof the words, The governor is hereby authorized to draw his warrant for these sums out of any money in the treasury not otherwise appropriated, so that said joint resolution as amended shall read as follows:

That the sum of seventeen thousand, eight hundred dollars ($17,800) is hereby appropriated and shall be paid during the fiscal year ending July, 1938, to the treasurer of the New England Council, upon vouchers duly approved by the State Planning and Development Commission, and a like sum is hereby appropriated to be similarly disbursed during the fiscal year ending July, 1939, provided (1) the New England Council contributes $50,000 and the other New England states $82,200, in the aggregate, to said advertising fund; however, if the New England Council and the other New England states fail to contribute the amounts specified herein, then the contribution of New England shall be proportionately reduced, (2) that the New England Council shall, prior to July 1, 1938, through its research department, re-determine the amount of recreational property in

each of the New England states, by methods satisfactory to the State Planning and Development Commission. The governor is hereby authorized to draw his warrant for these sums out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 118, An act relating to pickerel; reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend paragraph VI of section 1 by adding after the words "Sunapee lake" in line 1 the words, Tarleton lake in Piermont and Warren, so that said paragraph as amended shall read as follows:

VI. Silver lake in Madison, Sunapee lake, Tarleton lake in Piermont and Warren, Tewksbury pond in Grafton, Town Line pond in Dorchester and Wentworth, Trout pond in Dorchester, Winnipesaukee river and all waters of Coos county inhabited by trout and all other streams in the state inhabited by trout.

Amend paragraph I of section 2 by striking out in line 1 the words "Bradley pond in Andover", so that said paragraph shall read as follows:

I. Lucas pond in Northwood, Martin Meadow pond in Lancaster, Pleasant lake in Deerfield.

Amend paragraph II of section 2 by striking out the words "Tarleton lake in Piermont and Warren" in line 2 so that said paragraph as amended shall read as follows:

II. Powwow river, Spectacle pond in Groton and Hebron, Stinson lake in Rumney.

Amend paragraph I of section 3 by striking out the words "Cobbetts pond in Windham", in line 2 so that said paragraph as amended shall read as follows:

I. Arlington Mills reservoir, Big Dan Hole pond in

Ossipee and Tuftonboro, Ferrin pond in Weare, Gorham pond in Dunbarton.

Amend paragraph IV of section 4 by striking out the words "Gale River Camp Ground" in line 3 and inserting in place thereof the words Littleton Water Supply Dam, so that said paragraph as amended shall read as follows:

IV. Fowler river, between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, North Branch of the Gale river and all tributaries above Littleton Water Supply Dam in Bethlehem and Franconia, all tributaries of Lamb Valley pond in Dartmouth College Grant.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds; reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 418, An act relating to legal holidays; reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out "1937 and" so that said section as amended shall read:

"1. *New Hampshire Day.* The twenty-first day of June being the anniversary of the ratification of the federal constitution by the state, is hereby made a legal holiday for the year 1938."

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 428, An act

legalizing the proceedings of the town meeting, held in the town of Middleton, March 9, 1937, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 364, An act to establish the office of State Fire Marshal, defining his powers and duties, and providing for his compensation and the maintenance of his office, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanborn of Wakefield for the Committee on Ways and Means, to whom was referred House Bill No. 152, An act relating to pari mutuel pools, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 152, An act relating to pari mutuel pools, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "thereof" in line 10 the words, fifty per cent of, so that said section as amended shall read as follows:

1. *Amendment.* Amend section 14 of chapter 27 of the Laws of 1935 by striking out the whole thereof and inserting in place thereof the following: 14. *Pari Mutuel Pools.* Within the enclosure of any race track where is held a race or race meet licensed and conducted under this act, but not elsewhere, the sale of pari mutuel pools under such regulations as may be prescribed by said commission,

is hereby permitted during the years 1937 and 1938. Commissions on such pools shall in no event and at no track exceed ten per cent thereof. Fifty per cent of the odd cents of all redistribution to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of five shall be paid to the state treasurer for the use of the state. Said maximum shall include the percentage payable to the state as hereinafter prescribed.

RICHARD H. DICKINSON,
A Minority of the Committee.

Mr. Dickinson of Danville moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Dickinson.

(Discussion ensued)

Messrs. Dickinson of Danville, Caron of Manchester and McDonough of Dover spoke in favor of the motion. Messrs. Sanborn of Wakefield, Hunter of Hanover, James of Nashua and Hepworth of Derry spoke against the motion.

Mr. Dickinson of Danville asked for a division.

A division being taken 143 members voted in the affirmative and 177 members voted in the negative and the motion to substitute did not prevail.

Mr. Caron of Manchester demanded the yeas and nays and the roll was called with the following result:

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ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Tenney, Dickinson of Danville, Tozier, Beede, Emerson, Palmer of Kensington, Stevens, Nesmith, Turcotte of Newmarket, Fernald, Gray, Yeaton, Badger, Rose, Gile.

STRAFFORD COUNTY: Chabot, Durkin, Grimes, Garland, Blaisdell, McDonough, Blanchard, Caldwell, Jenkins, Colby, Dustin, Bergeron, Varney.

BELKNAP COUNTY: White, O'Shan, Newell, Martin, Smith of New Hampton, Helms.

CARROLL COUNTY: Day, Head, Hoyt of Sandwich.

MERRIMACK COUNTY: Courtemanche, Stearns of Concord, Boutwell, Nash, Tilton of Concord, Brunel of Concord, Maxham, Wiley, Nutter of Epsom, Carignan, Lemire, Douphinett, Johnson of Hooksett, Mitchell, Carr.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Reynolds, Boynton, Lievens, Abbott of Hudson, Smith of Hudson, Chase, Greer, Gage, Clancy, Bolton, Chevrette, Farland, Gaudreault, Cullen, Aubin, Caron, Soucy, Lariviere, Moran, Cormier, Wilcox, Bouthillier, Hafeli, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Park, Spaulding, Duffy, Hemenway, Tolman, Rice, Woodbury of Sullivan, Horner.

SULLIVAN COUNTY: Danforth, Daly, Gaffney, Howe, Putnam of Claremont, Quimby, Thomas, Johnson of Cornish, Brigham, Fairbanks, Kelly of Newport, Kempton, Rogers.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Graham, Remick of Groton, Lanyon, Tuxbury, Titus, Dubuque, French, Jones of Lebanon, Sliney, Madden, Collins, Hildebrand, Bailey of Lyme, Jones of Monroe, Taylor, Houston, Dreghorn.

COOS COUNTY: Barden, Palmer of Berlin, Studd, Ramsey of Berlin, Felton, Dickson of Colebrook, Jordan of Errol, Fogg of Milan, Marshall, Judd, Rix, Brown of Stratford.

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ROCKINGHAM COUNTY: Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Fecteau, Merrill of Exeter, Scammon, Syphers, Perkins of Hampton, Creighton, Pridham, Rousseau, Estabrook of Newton, Knowles, Palmer of Plaistow, Barrett of Portsmouth, Kit-

tredge, Pray, Cogan, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, McCooey, Durnin, Richards, Whitehouse, Longley, Berry, Cartier, Turcotte of Rochester, Dickinson of Rochester, Seavey, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, Hunt, Edgerly, Normandin, Hoyt of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Sanders, O'Shea.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Huntress, Banfield, Wiggin, Sanborn, Hart.

MERRIMACK COUNTY: Monroe, Carter, Brown of Bow, Coakley, Rivet, Kempt, Conlon, Saltmarsh, Sturtevant, Matson, Ahern, Donovan, Ball, Merrill of Loudon, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Avery, Pattee, Charois, Stearns of Hancock, Cole, Cummings of Lyndeborough, Daniels, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Clark of Manchester, Clougherty, Corey, Betley, Connelly, Arthur J. of Ward 6, Manchester, Jordan of Manchester, Farrell, Gorham, Horan, Bouthiette, Constant, Poulin, Driscoll, Gallagher, Kearns, Van Vliet, Kelley of Ward 11, Manchester, St. Germain, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Molloy, Noel, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Tierney.

CHESHIRE COUNTY: Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Jones of Keene, Hilton, Roche, Dubois

of Swanzey, Granger, Barrett of Troy, King, Relihan, Burbank of Winchester.

SULLIVAN COUNTY: Hutchins of Charlestown, Cummings of Newport, Osborne.

GRAFTON COUNTY: Plumer, Remick of Bristol, Pulsifer, Walbridge, Hunter, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Perley, Hoyt of Lebanon, Hamilton, Magoon, Lufkin, Howard, Bell, Merrill of Plymouth, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Roy, Montminy, Brungot, Snodgrass, Bixby, Dugas, Dutil, Myler, Seymour, Ramsay of Colebrook, Parkhurst, Chandler of Gorham, Willis, Parker, Cryan, Thompson of Lancaster, Johnson of Northumberland, Fuller, Whitcher.

And the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Jordan of Errol for the special committee consisting of the Delegation from the county of Coos, to whom was referred House Bill No. 401, An act establishing commissioner districts in the county of Coos, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the special committee, consisting of the Delegation from the County of Coos, to whom was referred House Bill No. 401, An act establishing commissioner districts in the County of Coos, being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

GEORGE T. STUDD,
ELISABETH H. MASON,
ALBERT G. PALMER,
PATRICK J. DUTIL,
ALPHONSINE M. DUGAS,
HARRY L. HENDERSON,
LETITIA J. MYLER,
ARISTIDE T. MONTMINY,
JOSEPH F. ROY,
RAOUL S. RAMSEY,
PETER COLLETTE,
ESTHER C. BIXBY,
HENRY M. MOFFETT,
MARGARET H. BARDEN,
A Minority of the Committee.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Magoon of Littleton, for the special committee consisting of the Delegation from the County of Grafton, to whom was referred House Bill No. 198, An act relating to the compensation of the county treasurers; reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 72 (new draft), An act relating to fire escapes.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Bill No. 258, An act providing for serving of legal process of non-residents.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 267, An act relating to the sale of fuel wood.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 374, An act relating to transportation of high school pupils.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Transportation.* Amend chapter 117 of the Public Laws by inserting after section 6 the following new section: 6-a. *Pupils Under Fourteen Years of Age.* The district shall furnish transportation as provided in section 6 to all pupils under the age of fourteen years in grades above the eighth and in districts not maintaining a high school, in which the school board has neglected or refused to furnish further instruction in the schools of the district as provided in section 28 of chapter 119 of the Public Laws, the district shall furnish to such pupils reasonable transportation to an approved high school.

On motion of Mr. Wylie of Concord, the House concurred in the adoption of the amendment proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Sale of Apples.* Amend the Public Laws by inserting after chapter 165, as inserted by chapter 199 of the Laws of 1927 and as amended by chapter 23 of the Laws of 1931, and chapter 85 of the Laws of 1933, the following new chapter:

165-A

SALE OF APPLES IN OTHER THAN CLOSED PACKAGES

1. *Grades.* The terms to be used in selling, offering, exposing for sale or advertising apples for sale or exchange or distribution in any manner except when packed in closed packages shall be as follows:

I. Extra Fancy shall mean apples conforming to the standards for extra fancy grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

II. Fancy shall mean apples conforming to the standards for fancy grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

III. Utility shall mean apples conforming to the standards for B Grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

IV. Choice shall mean apples not less than twenty-five per cent of which conform to the standards for Fancy grade and the remainder to the standards for B Grade as defined in section 3 of chapter 165 of the Public Laws as amended by section 2 of chapter 23 of the Laws of 1931.

V. Cooking shall mean any apples not coming within the standards hereinbefore defined.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Tolerance.* In order to allow for variations incident

to commercial grading and handling not more than ten per cent, by weight, of the apples in any lot may be below the requirements of the grade with which the lot is marked.

Amend section 4 by striking out the words "within the amount appropriated therefor" in the fifth line.

Amend section 8 of said bill by renumbering the same to read section 2.

On motion of Mr. Barnard of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 62, An act relating to the protection of public health.

SENATE BILLS READ AND REFERRED

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed persons.

Read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 62, An act relating to the protection of public health.

Read a first and second time and referred to the Committee on Public Health.

RESOLUTIONS

Mr. Martin of Meredith presented the following resolutions:

Whereas, Our Heavenly Father has called home an associate and friend, Ernest W. Small, Representative from the town of Meredith,

Be It Resolved, That we, the members of the New Hamp-

shire House of Representatives, attest our appreciation of his loyal citizenship; his record of devoted and faithful public service during the present session of the New Hampshire General Court; and be it further

Resolved, That this sentiment be printed in our Journal, and that a copy be sent to the family with the assurance of our sincere sympathy with them in their bereavement.

NORMAN MARTIN,
FRANK E. NEWELL,
EDWARD M. SANDERS,
ELMER S. TILTON,
FORTUNAT A. NORMANDIN,
ELSIE LINN SMITH,
Committee.

The resolutions were unanimously adopted by a rising vote.

MEMBER QUALIFIED

Claire A. LaBonte of Somersworth having qualified before His Excellency, the Governor, appeared and took her seat as a member of the House.

On motion of Mr. Maxham of Concord at 1:25 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 118, (in new draft), An act relating to pickerel.

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority.

House Bill No. 281, An act to create a State Board of Accountancy.

House Bill No. 401, An act establishing commissioner districts in the county of Coos.

House Bill No. 410, An act establishing a secondary highway system.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton, March 9, 1937.

House Joint Resolution No. 121, Joint Resolution relating to the New England Council Advertising fund.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Thompson of Lancaster at 3:07 o'clock the House adjourned.

THURSDAY, APRIL 1, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Plumer of Alexandria and Etsler of Claremont were granted leave of absence for the day on account of important business.

Mr. Marston of Rye was granted leave of absence for Friday on account of important business.

Mr. Hafeli of Peterborough was granted leave of absence for Friday on account of attending a funeral.

Messrs. Hildebrand of Littleton, Titus of Landaff, Odell of Amherst, Carr of Northfield, Lievens of Hollis, Taylor of Rumney, Danforth of Acworth, Stevens of Kingston,

Sawyer of Woodstock, Rollins of Alton, Caldwell of Lee and Merrill of Plymouth were granted leave of absence for Thursday and Friday on account of important business.

COMMITTEE REPORTS

Mr. Hoyt of Sandwich for the Committee on Elections to whom was referred House Bill No. 422, An act relating to revision of checklists, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Perley of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Perley.

(Discussion ensued)

Messrs. Perley of Lebanon, Moran of Nashua, Callahan of Keene and Ahern of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 416, An act in relation to public baths and swimming pools, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 434, An act relating to the practice of pharmacy and the sale of drugs, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

On motion of Mr. Moran of Nashua the clerk was instructed to procure 500 additional copies of the above bill.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 435, An

act authorizing the town of Farmington to issue refunding bonds, with the recommendation that the bill be referred to the Committeee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Kearns of Manchester for the Committee on Rules reported the following entitled bill, House Bill No. 436, An act providing for a special fund for improvement and maintenance of public waters, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 437, An act providing a deficiency appropriation for certain state departments, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Ahern of Concord, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the office of the state treasurer, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Kearns of Manchester, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the Battle of Gettysburg, with the recom-

mendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriations.

Mr. Atherton of Nashua, for the Committee on Banks, to whom was referred House Bill No. 46, An act relating to taxation of legacies and successions, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Atherton of Nashua, for the Committee on Banks, to whom was referred House Bill No. 10, An act relating to banks, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 430.

The report was accepted and the resolution of the committee adopted.

Mr. Atherton of Nashua, for the Committee on Banks, to whom was referred House Bill No. 11, An act to make mortgages insured and debentures issued by the federal housing administrator eligible for deposit purposes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 430.

The report was accepted and the resolution of the committee adopted.

Mr. Atherton of Nashua, for the Committee on Banks, to whom was referred House Bill No. 12, An act relating to trust companies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 430.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 343, An act to establish motor vehicle sub-stations, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 243, An act relating to criminal appeals.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 173, An act relating to the collection of poll tax.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives.

Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan.

Amend section 1 of said bill by inserting before the word "election" in the fifth line the words, nomination and.

Further amend said bill by striking out all of section 2.

On motion of Mr. Daly, of Claremont, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate refused to

concur with the House of Representatives in the amendment to the following entitled bill, Senate Bill No. 10 (In New Draft), An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, and asked for a Committee of Conference.

The President appointed, on the part of the Senate, Senators Cole and Wilson.

On motion of Mr. Hart of Wolfeboro the House acceeded to the request of the Honorable Senate and the Speaker appointed as conferees on the part of the House Messrs. Saltmarsh of Concord, Pillsbury of Derry and Pridham of Newcastle.

Mr. Woodbury of Manchester offered the following resolution:

Whereas government of the United States under the Constitution began on the last Wednesday in March, 1789; and

Whereas a century and a half of government under the Constitution has brought to the American people freedom, growth and happiness unsurpassed in history, has inspired the progress of constitutional democracy in other lands, and stands as a beacon light for peoples not yet enjoying the blessings of constitutional democracy; and

Whereas the natural rights of man, regardless of race, creed or other differences, as recognized and guaranteed by the American Constitution, are the basis of freedom, goodwill and peace among individuals, groups and nations; and

Whereas appropriate and just recognition of the debt of gratitude Americans and others owe to the Constitution would have a healing effect upon the discord and hate being widely engendered, and would constitute an educational process of the first importance for young people and others,

Therefore, Be It Resolved, that the last Wednesday in March be officially known as Constitutional Government Day, and be appropriately observed and celebrated annually

by the state, municipalities, schools and patriotic organizations.

The resolution was referred to the Committee on Judiciary.

On motion of Mr. Courtemanche of Allenstown at 11:50 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READING

House Bill No. 416, An act in relation to public baths and swimming pools.

Read a third time and passed and sent to the Senate for concurrence.

PRESENTATION

Mr. and Mrs. H. E. Powers of Idaho were introduced to the House by the Speaker. Mr. Powers is a member of the Idaho Legislature which has met, transacted its business and adjourned.

On motion of Mrs. Charois of Greenville, at 3:05 o'clock the House adjourned.

FRIDAY, APRIL 2, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Chandler of Gorham, Rice of Rindge, and Frost of Milford were granted leave of absence for the day on account of important business.

Mr. Wadleigh of Milford was granted leave of absence for the day on account of attending a funeral.

RESOLUTION

On motion of Miss Myler of Berlin:

Resolved, That when the House adjourns today it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 243, An act relating to criminal appeals.

House Bill No. 292, An act relating to the sale of apples at retail or wholesale, defining terms and requiring proper grades as marked.

House Bill No. 374, An act relating to transportation of high-school pupils.

The report was accepted.

Mr. Boynton of Hillsborough, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said resolution by striking out the words and figures "three hundred and fifty dollars ($350)" in lines 1 and 2 and inserting in place thereof the following: five

hundred and three dollars ($503), so that said resolution as amended shall read as follows:

That the sum of five hundred and three dollars ($503) be and hereby is appropriated in favor of Peter Lajoie to reimburse him for expenses sustained by him as a result of accidental injury occasioned by alleged negligence of employees of the state highway department, while he was traveling along the state highway in the town of Colebrook on October 24, 1932. Said sum shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 408, An act relative to the annual registration fee for the practice of optometry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Juciary, to whom was referred House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred Senate Bill No. 44, An act relating to the requirements for the practice of

chiropody, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 56, An act relative to the placing out of infants, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 98, An act relating to the purity of elections, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Cummings of Lyndeborough, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 53, Joint resolution in favor of Archie LeBoeuf, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 246, An act amending the law relating to motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 270, An act

relative to the control of trees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester, for the Committee on Rules, reported the following entitled bill, House Bill No. 438, An act to increase the salary of solicitor of Cheshire County, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Ahern of Concord the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Cheshire.

Mr. Kearns of Manchester, for the Committee on Rules, reported the following entitled bill, House Bill No. 439, An act to establish a child guidance clinic, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following entitled bill, House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont, for the Committee on Rules, reported the following entitled bill, House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the town of Hampton, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following entitled Bill, House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Sanderson of Pittsfield, the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading this afternoon at 3:00 o'clock.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

NOTICE OF RECONSIDERATION

Mr. Cummings of Lyndeborough gave notice that tomor-

row or some subsequent day he would move to reconsider the vote whereby the House refused passage of House Bill No. 422, An act relating to revision of the check list.

On motion of Mr. Dwyer of Manchester the clerk was instructed to procure 500 additional copies of House Bill No. 362, An act relating to definition of terms used in the liquor laws.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937.

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Ball of Hopkinton at 11:39 o'clock the House adjourned.

MONDAY, APRIL 5, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, April 5, 1937.

Mr. Erwin E. Cummings,
Lyndeborough, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, APRIL 6, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Plumer of Alexandria was granted leave of absence for the day on account of illness.

Mr. Hunter of Freedom was granted leave of absence for the day on account of important business.

Messrs. Sturtevant of Concord and Chandler of Gorham were granted leave of absence for the week on account of illness.

Mr. Tuxbury of Hanover was granted leave of absence until further notice on account of illness.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 9, An act establishing commissioner districts in the county of Sullivan.

Senate Bill No. 44, An act relating to the requirements for the practice of chiropody.

Senate Bill No. 73, An act relating to the First Baptist Society in Hampton.

House Bill No. 258, An act providing for serving of legal process on non-residents.

House Bill No. 335, An act regarding the compensation of county commissioners.

The report was accepted.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing and others, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in the first line the following: "thirty-eight dollars and forty cents ($38.40)" and inserting in place thereof the following: nineteen dollars and twenty cents ($19.20), so that said joint resolution as amended shall read as follows:

That the sum of nineteen dollars and twenty cents ($19.20) be and hereby is appropriated to compensate Herbert Downing of the town of Thornton for accidental injuries suffered while building a state aid road in the town

of Waterville. An additional sum of fourteen dollars ($14) is likewise appropriated to be paid to Dr. H. A. Cheney of Campton, said bill having been contracted by said Herbert Downing in said accident. Said sums herein before appropriated shall be a charge upon the highway funds.

The report was accepted. the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 277, An act relating to marriage, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Wilcox of Nashua moved that the words inexpedient to legislate be substituted for the words ought to pass.

The question being on the motion of Mr. Wilcox.

(Discussion ensued)

Messrs. Wilcox of Nashua and McDonough of Dover spoke in favor of the motion. Messrs. Winslow of Chesterfield, Moran of Nashua, Kelley of Newport, and Cartier of Rochester spoke against the motion.

On a *viva voce* vote the negative appeared to prevail.

Mr. McDonough of Dover asked for a division.

A division being taken 121 members voted in the affirmative and 179 members voted in the negative, and the motion to substitute did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 249, An act in relation to jurors, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judici-

ary, to whom was referred House Bill No. 249, An act in relation to jurors, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

MABEL THOMPSON COOPER,
F. T. WADLEIGH,
FOSTER STEARNS,
L. B. PEEVER,
FRED A. TILTON,
DONALD W. SALTMARSH,
FRED JONES,
WILLIAM A. MOLLOY,
A Minority of the Committee.

Mr. Perley of Lebanon moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Perley.

(Discussion ensued)

Mr Hart of Wolfeboro at 12:15 o'clock moved that the House take a recess for one hour.

Mr. Callahan of Keene raised the point of order that the motion was not in order as a member had the floor.

The Speaker ruled the point well taken.

Messrs. Perley of Lebanon, Saltmarsh of Concord, James of Nashua, Molloy of Nashua, Wylie of Concord, Conlon of Concord and Danforth of Acworth, and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Etsler of Claremont and Kearns of Manchester spoke against the motion.

Mr. Kearns of Manchester asked for a division.

A division being taken, 73 members voted in the affirmative, and 238 members voted in the negative and the motion to substitute did not prevail.

Mrs. Dondero of Portsmouth demanded the yeas and nays but subsequently withdrew her demand.

On a *viva voce* vote the resolution reported by the committee was adopted.

On motion of Mr. Hart of Wolfeboro at 1:15 o'clock the House took a recess till 2:50 o'clock.

(After recess)

The House was called to order.

COMMITTEE REPORTS

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred Senate Joint Resolution No. 4, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 123, An act relating to licenses for bonded warehouses, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting in line 6 after the word "merchandise" the words of persons or corporations other than himself for hire.

Further amend said section by striking out in lines 8 and 9 the words and figures "one hundred dollars ($100)" and inserting in place thereof the words and figures twenty-five dollars ($25.) so that said section as amended shall read as follows:

1. Amend section 1 of chapter 169 of the Public Laws by striking out the entire section and substituting therefor the following: 1. *Licenses.* Any person, or corporation, established under the laws of the state and having a place of business within the state, who keeps and maintains a warehouse for the storage of goods, wares and

merchandise of persons or corporations other than himself for hire shall be a public warehouseman. Any public warehouseman shall be required to obtain a license from the Secretary of State for which the fee will be twenty-five dollars ($25.)

Further amend said bill by adding the following new section:

2. *Penalty.* Amend section 23 of chapter 169 of the Public Laws by striking out the word "subdivision" in line 1 and inserting in place thereof the word chapter so that said section as amended shall read as follows: 23. *Penalty.* Whoever violates any provision of this chapter shall be fined not more than five hundred dollars.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes to whom was referred Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord, for the Committee on Transportation, to whom was referred House Bill No. 225, An act relating to the length of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 427, An act to shorten the form of deeds, mortgages and other instruments relating to real property, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 406, An act in relation to tax collectors.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Tax Collector.* Amend chapter 47 of the Public Laws by inserting after section 32 the following new section: 32-a. *Temporary Incapacity.* If a collector of taxes is temporarily incapacitated before completing the collection of the taxes committed to him or if any necessity may arise for such action the selectmen may appoint some suitable person as deputy collector to collect such taxes, during such incapacity or for such term as necessity may require, and issue a warrant to him for that purpose. Said deputy shall give bond, possess the powers, perform the duties and be paid as other collectors. The selectmen shall determine the term of office of said deputy and upon the expiration of said term, if the collection of the taxes has not been completed the selectmen shall issue to the collector a warrant for that purpose.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 66, An act to protect and promote the

public health by eradicating Bang's disease and tuberculosis in cattle.

SENATE BILL READ AND REFERRED

Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle.

The bill was read a first and second time and referred to the Committe on Agriculture.

MESSAGE FROM THE GOVERNOR

The following message was received from His Excellency, the Governor:

APRIL 6, 1937

The General Court of New Hampshire:

The appalling losses inflicted upon the country by floods in recent years have raised stream control to the rank of a major national problem. The destruction and the suffering which floods leave behind them are only too well-known in our own State of New Hampshire where, in the short space of ten years, the people have been visited by two disastrous periods of high water.

Those floods were the direct cause of losses amounting to nearly $15,000,000 or, if estimates of indirect losses be taken into account, a grand total exceeding $20,000,000. To continue to tolerate such losses would invite ultimate economic bankruptcy. The strict necessity for prompt and practical action relative to flood control has presented a challenge which permits of no evasion.

Two years ago, with the memory of the $6,000,000 flood of 1927 still fresh, the General Court took the first step toward the formulation of a state water policy by establishing the Water Resources Board which was intended to conserve water resources and take steps to lessen flood damages. The even greater floods of 1936, with direct and indirect

damages in New Hampshire reaching nearly to a $15,000,000 total, and with losses for the nation aggregating a staggering sum, resulted in positive action on the part of the federal government.

By that time it had become clear that the individual states were not prepared, either legally or financially, to cope with a problem of such magnitude and complexity. Since the great rivers of the country do not recognize state boundaries but flow wherever gravity takes them, it is obvious that their regulation must be a matter of interstate agreement.

Because they involve construction wholly at public expense, with federal and state governments participating financially in agreed proportions, and because the projects are primarily intended as devices for flood control rather than for conservation purposes, these undertakings are entirely different from those previously sponsored by the state through the medium of the Water Resources Board.

The first inter-state compact to be drafted in accordance with the provisions of the Federal Flood Control Act relates to the Connecticut River basin, extending into Vermont, New Hampshire, Massachusetts and Connecticut. It was prepared at Hartford, Connecticut, as a result of a conference attended by the Secretary of War Harry H. Woodring; Major General E. M. Markham, chief of engineers, U. S. Army; Governors Charles F. Hurley of Massachusetts; George D. Aiken of Vermont, Wilbur L. Cross of Connecticut and myself, together with technical and legal advisers from each state.

On March 8, 1937, while present at the Hartford conference, I designated three commissioners to represent the State of New Hampshire in the drafting of a proposed compact along general lines agreed upon by Secretary of War Woodring and the four governors. These New Hampshire representatives were John Jacobson, Jr., chairman of the Water Resources Board; Richard S. Holmgren, chief en-

gineer of the Water Resources Board, and Robert W. Upton, Esq., legal counsel for the Water Resources Board, men well-qualified to act as agents of the state because of special knowledge of the subject under consideration.

In collaboration with similarly accredited representatives of Vermont, Massachusetts and Connecticut and of the War Department, they have prepared the draft of a proposed compact to which all the negotiators gave their approval. That agreement which I am submitting to you herewith in the form of a photostatic copy identical with those submitted to the legislature of the other three states, will become effective when ratified by the legislatures of Vermont, New Hampshire, Massachusetts and Connecticut and finally approved by the Congress of the United States. The compact has already been introduced into the Connecticut and Vermont legislatures and, I am informed, will be presented to the Massachusetts legislature within the next few days. It is my recommendation that it be ratified by New Hampshire.

In their report to me, the New Hampshire representatives have made a detailed analysis of the advantages and the obligations embodied in the compact and, for your information and assistance, I am transmitting a copy of it with this message.

Having in mind questions that may possibly be raised relative to the importance of ratifying the proposed compact and the strict necessity for embarking upon a program of flood control, I invite your attention to the fact that in the 1927 flood period direct damages amounting to approximately $1,767,000 were sustained in those New Hampshire towns situated within the watershed of the Connecticut River. Estimates for the 1936 floods place the direct damage figure of about $2,342,000.

In other words, in the course of one decade those districts of our state suffered total direct losses amounting to more than $4,100,000. If to that is added $2,000,000, a con-

servative estimate of indirect losses, the figures for total losses mount above the $6,000,000 mark.

In contrast to these severe damages sustained in the past, New Hampshire is asked to agree to contribute the sum of $135,000 over a period of two or three years toward the purchase of needed land, easements and rights of way and to appropriate a sum approximately $4000 annually for maintenance and operation of reservoirs which the War Department estimates will average to save to the state, through reduced flood losses, from $75,000 to $100,000 annually.

In addition to these particular projects, for the early completion of which there is a pressing need, the compact also makes provision for the undertaking of other projects required to complete a long-range flood control program which has been planned for the Connecticut River basin. These supplementary projects, to be undertaken from time to time in the course of the next ten or twelve years, will possibly necessitate an additional expenditure of $393,750, as well as an increased appropriation for cost of maintenance and operation.

In the judgment of the Commissioners this plan, under which the federal government assumes by far the greater part of the costs, is the best possible approach at this time to flood control in the Connecticut River basin.

An important consideration is the undoubted fact that, in the face of widespread demands for assistance, federal funds allocated for flood control projects this year will prove inadequate. Because those groups of states which organize and apply promptly for federal aid will be entitled to priority in the distribution of funds, there is considerable merit in the suggestion of the commissioners that action on the compact be taken with the least practicable delay.

FRANCIS P. MURPHY,
Governor.

On motion of Mr. Etsler of Claremont the clerk was

instructed to procure 1500 copies of the reports accompanying the message, separately from the journal.

The reports were referred to the Committee on Judiciary.

On motion of Mr. Sanborn of Wakefield at 3:43 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 225, An act relating to the length of motor vehicles.

House Bill No. 123, An act relating to licenses for bonded warehouses.

Severally read a third time, passed and sent to the Senate for concurrence.

Senate Bill No. 57, An act relating to temporary sales and solicitation for religious and benevolent purposes.

Senate Joint Resolution No. 4, Joint Resolution establishing a Commission for the study of occupational diseases in New Hampshire.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Newell of Laconia at 3:45 o'clock the House adjourned.

WEDNESDAY, APRIL 7, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Rev. Leonard B. Allen of Milford, Pastor of the Baptist Church.

LEAVES OF ABSENCE

Mr. Osborne of Sunapee was granted leave of absence for the day on account of important business.

Mr. Cogan of Portsmouth was granted leave of absence for the day on account of attending a funeral.

Mr. Lacroix of Manchester was granted leave of absence for Tuesday and Wednesday on account of jury duty.

Mr. Cryan of Lancaster was granted leave of absence for the remainder of the week on account of important business.

EXPRESSION OF THANKS

The Speaker read the following letter:

New Hampshire Legislature:

I wish to express my thanks to the members of the Legislature for the lovely wreath of flowers sent for Mr. Small. He felt privileged to be one of you and I deeply appreciate the kindly thought of him so beautifully expressed.

ALICE SMALL.

COMMITTEE REPORTS

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 429, An act legalizing the March meeting in the town of Hebron, reported the same with the recommendation that the bill ought to pass,

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 264, An act to regulate the practice of barbering, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 16 the following: 16a. *Regulations.* The Board shall have authority to make all necessary rules and regulations for the administration of the provisions of this act, including rules and regulations pertaining to sanitary requirements for barber shops which have first been submitted to and received the approval of the State Board of Health, and no mechanical or electrical apparatus and no cosmetic preparations shall be used in a barber shop which have been disapproved by the State Board of Health

Amend section 21 by striking out in line 8 the words "and police" and substituting therefor the words, with the general co-operation of the State Board of Health; further amend by striking out in lines 10 and 11 the words "at least four times every year, to prosecute in the courts any violations discovered"; further amend by striking out in line 12 the word "such" and substituting therefor the word, any, so that said section as amended shall read as follows:

21. *Penalties.* The violation of or wilful failure to comply with any of the provisions of this act or of any rule or regulation lawfully made hereunder shall constitute a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than two hundred dollars. It shall be the duty of the local health officers with the general co-operation of the State Board of Health to enforce the provisions of this act by regular inspections of all barber shops and to report any violations to the Examining and Licensing Board.

Amend the bill by inserting a new section as follows:

22. Sections 19, 20 and 21 of Chapter 133 of the Public Laws are hereby repealed.

Further amend by renumbering section 22 section 23.

The report was accepted.

The question being on the amendments.

Mr. Pillsbury of Derry moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Pillsbury.

(Discussion ensued)

Messrs. Pillsbury of Derry, Havican of Brentwood, and Callahan of Keene spoke in favor of the motion. Messrs. Noel of Nashua, and Moran of Nashua spoke against the motion.

Mr. Noel of Nashua asked for a division.

A division being taken 150 members voted in the affirmative and 114 members voted in the negative and less than two thirds of the members elected being present and voting, and less than two thirds of those voting having voted either in the affirmative or the negative no valid action was taken, and the bill went over into unfinished business.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 431, An act relating to project reports of the water resources board, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 426, An act relating to municipal water systems, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Conlon of Concord for the Committee on Liquor Laws, to whom was referred House Bill No. 381, An act

relative to sale of liquor and beverages, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 294, An act creating sub-offices for registering and licensing motor vehicles, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Callahan of Keene moved to substitute the words "ought to pass" for the words "inexpedient to legislate."

The question being on the motion.

(Discussion ensued)

Messrs. Callahan of Keene, and Cormier of Nashua spoke in favor of the motion. Mr. Barnard of Manchester spoke against the motion.

Mr. Callahan of Keene raised the point of order that the member speaking should not call another member by name.

The Speaker ruled the point well taken.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway. March 31, 1937, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 446, An act to establish North River Road precinct in the towns of Barrington, Northwood and Nottingham, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed, and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 447, An act establishing Commissioner Districts in the County of Grafton, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 140, An act prohibiting the exportation of electric power generated in the state, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 140, An act prohibiting the exportation of electric power generated in the state, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

HILDA BRUNGOT,
JOHN J. KEARNS,
A Minority of the Committee.

Mrs. Mason of Berlin moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Mason of Berlin spoke in favor of the motion.

Mr. Scammon of Exeter spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 196, An act relating to the sale of meat, fish and fowl.

House Bill No. 286, An act defining house trailers.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 403, An act relating to deposits by state treasurer.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *Municipal Permits.* Amend section 12 of chapter 100 of the Public Laws, as amended by chapter 5 of the Laws of 1929, by striking out all of said section and inserting in place thereof the following:

On motion of Mr. Hart of Wolfboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills and joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Repreesentatives:

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment.

Amend section 1 of said bill by adding at the end thereof the words, Any such unpaid taxes shall be a preferred claim as against other creditors, so that said section as amended shall read as follows:

1. *Unpaid Taxes.* The common law assignment of personal property for the benefit of creditors made to an assignee, trustee or other fiduciary, whether recorded in accordance with the provisions of chapter 9 of the Laws of 1933 or not, shall be valid to transfer the title of the assignor therein as against any unpaid taxes assessed thereon to the assignee prior to the date of said assignment. Any such unpaid taxes shall be a preferred claim as against other creditors.

On motion of Mr. Smith of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

Amend section 1 of the bill by adding at the end thereof

the following, "provided, however, the definition shall not apply to the sale of articles by the retailer from bulk and/or by him put up at the time of actual delivery to his customers," so that said section as amended shall read as follows:

1. *Package.* Amend chapter 161 of the Public Laws by adding after section 29 the following new section: 29-a. *Definition.* When used in laws relative to weights and measures the word "package" shall mean any commodity in a box, basket, barrel, bottle, bag, bale, crate, carton, case, can, cask, crock, drum, demijohn, firkin, hamper, hogshead, half-barrel, jar, jug, keg, lug, phial, pail, sack, tube, tub, tank, vessel or any other receptacle or container of whatsoever material or nature which can be used for enclosing any commodity or in coverings or wrappings of any kind making one complete package of the commodity, provided, however, the definition herein shall not apply to the sale of articles by the retailer from bulk and/or by him put up at the time of actual delivery to his customers.

On motion of Mr. Jones of Lebanon the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 61, Joint Resolution relative to the estate of Mary E. Gardner.

Whereas it appears that upon settlement of the estate of Mary E. Gardner, late of Newport, in the county of Sullivan and State of New Hampshire, deceased, a balance of $6,763.78 remained undistributed in the hands of John W. McCrillis, administrator, that the said Mary E. Gardner died June 26, 1930, that upon a petition alleging there were no known heirs of the said Mary E. Gardner said administrator was authorized by the probate court for said county on March 28, 1934, to pay said sum to the state treasurer, and did thereafter so pay the same, all by virtue of chapter 307, sections 7 and 8, of the Public Laws; and

Whereas it now appears that there are heirs-at-law of the said Mary E. Gardner;

Resolved, By the Senate and House of Representatives in General Court convened:

That the judge of probate for the county of Sullivan and state of New Hampshire is hereby authorized to conduct a hearing or hearings, at which hearing or hearings any person interested may appear and present proof that he is an heir-in-law of the said Mary E. Gardner; and if such claims, or any thereof, shall be established, the treasurer of the state of New Hampshire shall be ordered by the judge of probate for the county of Sullivan aforesaid to pay said sum, together with the accumulations thereon, and additions thereto, if any, less five per cent of the total amount thereof, being the legacy and succession tax thereon, and also less five per cent of the appraised value of the real estate hereafter mentioned, being the legacy and succession taxes thereon, to such heirs in the several amounts to which the said judge of probate shall find them entitled. When and if it shall be determined by said judge of probate that the said Mary E. Gardner was survived by heirs-in-law all rights of the state in and to any real estate which the said Mary E. Gardiner owned at the time of her death shall be deemed relinquished to such heirs-at-law, and it is hereby declared that if it shall be so found the state does not and will not claim such real estate.

The Secretary of State is hereby authorized to send a copy of this resolution to the judge of probate for the county of Sullivan aforesaid, who, upon receipt thereof, shall act upon the same forthwith.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed

bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 59, An act relating to the practice of chiropractic.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

Senate Bill No. 75, An act prohibiting wilful and malicious interference with or harm to horses used for racing, and prescribing penalties therefor.

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef road.

SENATE BILLS READ AND REFERRED

Senate Bill No. 59, An act relating to the practice of chiropractic.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

Senate Bill No. 75, An act prohibiting wilful and malicious interference with or harm to horses used for racing, and prescribing penalties therefor.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef road.

The bill was read a first and second time.

Mr. Pray of Portsmouth moved that the rules be suspended, and the printing of the bill and its reference to a committee dispensed with.

The question being on the motion of Mr. Pray.

(Discussion ensued)

Mr. Pray of Portsmouth spoke in favor of the motion.

On a *viva voce* vote the affirmative prevailed.

On motion of Mr. Pray of Portsmouth the rules were suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTION

Mr. Saltmarsh of Concord offered the following resolution:

Resolved, That this House has learned with sorrow of the passing of our respected attache, Wallace Thompson of Wilmot, who has faithfully served this House, and

Be It Further Resolved, That the Speaker appoint a committee of three to draw up suitable resolutions expressing the sympathy of the members of the House to the members of his family.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members of such committee, Messrs. Saltmarsh of Concord, Mock of Webster, and Danforth of Acworth.

Mr. Caron of Manchester offered the following resolution:

Resolution providing for an investigation and study by an unpaid special commission relative to horse racing within New Hampshire.

Resolved, that an unpaid special commission, hereinafter called the commission, consisting of five persons to be appointed by the governor, and by the advice of his executive council, shall investigate and study the entire subject of horse racing in New Hampshire.

The powers and duties of the commission shall include the following, as well as those previously set forth: (a) to determine exactly who, through stock ownership in corporations, membership in voluntary associations, partnerships or otherwise, or individually, control horse racing within New Hampshire; and (b) to make a full and thorough investigation of the books and records of such corporations, associations, partnerships and persons with a view to determining their gross profits, expenses and net

profits directly or indirectly derived from, or incurred on account of, such horse racing.

The commission may hold hearings and may call upon the state racing commission and other departments, commissions and officers of New Hampshire for such information as it may desire in the course of its investigation.

The commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath.

The commission may expend for expert, clerical and other services and expenses such sums, not exceeding, in the aggregate..... dollars, as may hereafter be appropriated.

The commission shall report to their general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the House of Representatives during the legislative session of the year one thousand nine hundred and thirty-seven.

The question being on the resolution.

(Discussion ensued)

Mr. Caron of Manchester spoke in favor of the resolution.

On a *viva voce* vote the resolution was not adopted.

COMMITTEE APPOINTMENTS

The Speaker announced the appointment of Paul Amos Mansur of Concord to the Committee on Normal Schools in place of Mr. Small of Meredith deceased.

On motion of Mr. Seavey of Rochester at 12:49 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

(Mr. Jones of Lebanon in the chair)

THIRD READINGS

House Bill No. 429, An act legalizing the March meeting in the Town of Hebron.

House Joint Resolution No. 78, Joint Resolution in favor of the Town of Holderness.

Severally read a third time and passed and sent to the Senate for concurrence.

RESOLUTIONS

Mr. Wadleigh of Milford offered the following resolution:

Resolved, That the clerk be instructed to express to the W. P. A. Federal Music Project Band our appreciation of the excellent concert rendered by the band during the noon recess.

On motion of Mr. Moran of Nashua at 3:05 o'clock the House adjourned.

THURSDAY, APRIL 8, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Foster of Milford and Hildebrand of Littleton were granted leave of absence for the rest of the week on account of business.

Mr. Bolton of Manchester was granted leave of absence for the rest of the week on account of illness in family.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef road.

The report was accepted.

Mr. Atherton of Nashua, for the Committee on Banks, to whom was referred House Bill No. 430, An act relating to institutions under the supervision of the bank commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 58, An act to amend the charter of Clark School Foundation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred Senate Bill No. 62, An act relating to the protection of the public health, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 10 to 14 inclusive the words "In case of a public water supply lying in

part in two or more cities or towns, the health officer and plumbing inspector of the city or town providing the supply shall have the power to make plumbing inspections in any premises connected to that supply" and substituting therefor the words, In the case of a public water system lying in two or more cities or towns, the health officer or plumbing inspector of the city or town operating the said system, or in which its management is located, shall have the power to make plumbing inspections and to enforce the said regulations as to any premises connected to that system and located in such other cities or towns, so that said section as amended shall read as follows:

1. *Amendment.* Amend chapter 153 of the Public Laws by adding after section 6 the following: 6a. *Public Health.* The State Board of Health may make, may from time to time revise, and may enforce, such plumbing rules and regulations as it may deem necessary for protection of the public health. Said rules and regulations shall be in effect in every city, village and area having a public water supply, and in all premises connected to a public water supply, and every city and town in which there is a public water supply shall provide for enforcement of them. They shall be construed as minimum and not as preventing local authorities from fixing more stringent ones. In case of a public water system lying in two or more cities or towns, the health officer or plumbing inspector of the city or town operating the said system, or in which its management is located, shall have the power to make plumbing inspections and to enforce the said regulations as to any premises connected to that system and located in such other cities or towns. 6a. *Definitions.* "Plumbing" as used in this chapter, shall mean the art of installing in buildings the pipes, fixtures, and other apparatus for bringing in the water supply and removing liquid and water-carried wastes. "Public water supply" means any water system supplying water for ten or more consumers, each family, tenement,

store or other establishment being considered a single consumer. 6c. *Water Department Employees.* The licensing provisions of this chapter shall not apply to employees of public water supply departments and companies or public sewerage departments, when working in the discharge of duty.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Hilton of Keene for the Committee on Transportation, to whom was referred House Bill No. 191 (in new draft), An act relating to the weights of motor vehicles, reported the same in a second new draft with the recommendation that the bill be recommitted to the Committee on Transportation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 206, An act to amend the law relating to insurance companies and agents, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Insurance.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Insurance.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 204, An act to amend the law relating to liability insurance, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Insurance.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Insurance.

Mr. Hoyt of Sandwich for the Committee on Elections, to whom was referred House Bill No. 424, An act relating

to primary and election laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Varney of Rochester for the Committee on Insurance, to whom was referred House Bill No. 333, An act to regulate fire insurance rates on municipally owned property, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Varney of Rochester for the Committee on Insurance, to whom was referred House Bill No. 306, An act relating to insurance companies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

House Bill No. 392, An act accepting the provisions of the Act of Congress for the further development of cooperative agricultural extension work.

House Bill No. 399, An act relative to acceptance of certain Federal aid road acts.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 76, An act to provide for the examination and for the use of voting machines, at elections.

House Bill No. 99, An act creating a New Hampshire Law Reports Committee.

House Bill No. 180, An act relating to garage records and records of public parking places.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill and joint resolution with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds.

Amend section 1 of the bill by striking out the last sentence thereof and substituting therefor the following: Said serial notes or bonds shall be signed by the commissioners of the district, or a majority thereof, and countersigned by the treasurer; so that said section as amended shall read as follows:

1. *Authorization.* The Conway Village Fire District is hereby authorized to issue its serial notes or bonds to an amount not exceeding six thousand dollars ($6,000) for the purpose of refunding outstanding indebtedness. Said serial notes or bonds shall be signed by the commissioners of the district, or a majority thereof, and countersigned by the treasurer.

Amend section 2 of the bill by striking out the same and substituting therefor the following:

2. *Terms.* Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty years from their date of issue, in such amounts and in such manner, as the commissioners of said district may determine, and at a rate of interest to be fixed by said commissioners.

On motion of Mr. Mudgett of Conway the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

Amend the joint resolution by striking out the words and figures "five thousand dollars ($5,000)" in the first line, and substituting in place thereof the following: two thousand two hundred and eleven dollars and eighty-two cents ($2,211.82).

Further amend the joint resolution by adding at the end thereof the following: and relieves the town from any expense incurred for the repairs to this bridge.

So that said joint resolution as amended shall read as follows:

That the sum of two thousand two hundred and eleven dollars and eighty-two cents ($2,211.82) be and hereby is appropriated to reimburse the town of Lyme for monies paid out by said town in repairing the damage done to the bridge across the Connecticut river from said town to North Thetford, Vermont, by the floods of March, 1936. This appropriation shall be a charge on the flood funds established by chapter 1 of the Laws of the special session of 1936, and relieves the town from any expense incurred for the repairs to this bridge.

On motion of Mr. Bailey of Lyme, the House concurred in the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 55, An act authorizing towns and cities to adopt rural land use zoning ordinances.

SENATE BILL READ AND REFERRED

Senate Bill No. 55, An act authorizing towns and cities to adopt rural land use zoning ordinances.

The bill was read a first and second time and referred to the Committee on Judiciary.

Mr. Pray of Portsmouth presented Senator Calef with the pen used by His Excellency the Governor in signing Senate Bill No. 79, An act designating the road from Epping to Barrington as Calef road.

Senator Calef responded briefly.

ADDRESS

The House was at ease during which interval the Honorable Harry W. Colmery of Topeka, Kansas, National Commander of the American Legion, addressed the assembly which included His Excellency the Governor and the Honorable Council, the Honorable Senate and invited guests.

On motion of Mr. Fairbanks of Newport at 12:25 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 430, An act relating to institutions under the supervision of the bank commission.

House Bill No. 424, An act relating to primary and election laws.

Severally read a third time and sent to the Senate for concurrence.

Senate Bill No. 58, An act to amend the charter of Clark School foundation.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

Severally read a third time and sent to the Secretary of State to be engrossed.

Senate Bill No. 62, An act relating to the protection of the public health.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

COMMITTEE REPORTS

On motion of Mr. Saltmarsh of Concord the rules were suspended to allow the presentation of a report from the Committee of Conference.

Mr. Saltmarsh of Concord for the Committee of Conference, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers, and tractors, presented the following report:

The Committee of Conference, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers, and tractors, recommend that the Senate recede from its position of non-concurrence in the amendment adopted by the House, and that the House recede from its position in adopting said amendment, and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by changing the title thereof so that the same will read: An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Motor Vehicle Registration.* Amend section 4, chapter 100 of the Public Laws by striking out said section and inserting in place thereof the following: 4. *Expiration.* The registration of every motor vehicle, trailer, semi-trailer or tractor shall expire at midnight upon March thirty-first next following the date of its issue, unless otherwise provided.

2. *Municipal Permits.* Amend section 18 of said chapter 100 by striking out the words "December thirty-first of the year when issued" and inserting in place thereof the words, March thirty-first next following the date of their

issue, so that said section as amended shall read as follows: 18. *Expiration.* All permits for registration of motor vehicles provided for in this chapter shall expire at midnight upon March thirty-first next following the date of their issue.

3. Amendment. Amend section 12 of said chapter 100, as amended by chapter 5, Laws of 1929 by striking out said section and inserting in place thereof the following: 12. *Transfer Credits.* Upon the transfer of ownership of a motor vehicle the permit shall expire; provided, that any owner who has paid a permit fee for a motor vehicle totally lost by fire, theft or accident, during the same fiscal year ending March thirty-first shall be entitled to a credit to the amount of any such permit fee or fees towards other permit fees which may be required of him in the same fiscal year. No portion of any permit fee once paid shall be repaid to any person and from December first to March thirty-first such credit shall not exceed one-third of the amount of the original fee.

4. *Amendment.* Amend section 15 of said chapter 100 by striking out the word "September" in the second line and inserting in place thereof the word December, and by striking out the word "December" in the third line and inserting in place thereof the word March, so that said section as amended shall read as follows: 15. *Reduced Fee.* For permits issued under the provisions of this chapter during the period beginning with December first and ending with March thirty-first the fees shall be one-third of the sum named in section 14.

5. *Operator's License.* Amend section 8 of chapter 101 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Expiration.* All licenses to operate motor vehicles, except special non-resident certificates, shall expire on March thirty-first next following the date of their issue.

6. *Number Plates.* Amend section 2 of chapter 103 of of the Public Laws, as amended by chapter 76 of the Laws of 1927, by striking out said section and inserting in place thereof the following: *2. Use of.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle, trailer, semi-trailer or tractor so operated, but during the period from March twenty-ninth to March thirty-first, inclusive, the owner of a vehicle which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the succeeding fiscal year, may display in the manner provided herein in place of the number plates then in use the number plates for the succeeding fiscal year.

7. *Fiscal Year.* All sections of the motor vehicle laws referring to the calendar year are hereby amended in so far that such sections shall now apply to the fiscal year ending on March thirty-first.

8. *Temporary Provisions for Registration.* For the period from January first to March thirty-first, inclusive, 1938, the owner of a motor vehicle, trailer, semi-trailer or tractor which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the year 1937, shall display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said 1937 number plates and such motor vehicles, trailers, semi-trailer or tractor displaying such number plates shall be deemed to be properly registered for the period ending March thirty-first. The registration of every motor vehicle, trailer, semi-trailer or tractor registered for the period from January first, 1938, to March thirty-first, 1938, shall expire at midnight on March thirty-first, 1938. For such registrations the commissioner may issue 1937 plates and such motor vehicles, trailers, semi-trailers or tractors

displaying such 1937 number plates shall be deemed to be properly registered. For the registration of motor vehicles during the period from January first, 1938, to March thirty-first, 1938, no permit for registration as provided for in section 10, chapter 100, Public Laws shall be required.

9. *Temporary Provisions for Operators Licenses.* For the period from January first to March thirty-first, inclusive, 1938, a person who has been properly licensed to operate a motor vehicle in accordance with the provisions of chapter 101 of the Public Laws may use such license in the manner provided by law, and shall be deemed to be properly licensed to operate a motor vehicle, for such period. All licenses to operate motor vehicles issued during the period from January first to March thirty-first, inclusive, 1938, for said period shall expire at midnight on March thirty-first, 1938. For such licenses the commissioner may issue 1937 licenses and a person who has been properly licensed for said period may use such licenses in the manner provided by law and shall be deemed to be properly licensed to operate motor vehicles for such period. No fee shall be charged for licenses issued for such period.

10. *Takes Effect.* This act shall take effect at midnight December thirty-first, 1937.

WILLIAM M. COLE,
ALLAN M. WILSON.
Conferees for the Senate,

WALTER A. PILLSBURY,
DONALD W. SALTMARSH,
JAMES W. PRIDHAM.
Conferees for the House,

The question being on the adoption of the report.

(Discussion ensued)

Mr. Saltmarsh of Concord spoke in favor of the report.

On motion of Mr. Sanborn of Wakefield the report was laid upon the table and ordered printed in the journal.

RESOLUTIONS

Mr. Saltmarsh of Concord presented the following resolutions:

RESOLUTIONS ON THE DEATH OF WALLACE S. THOMPSON CUSTODIAN OF MAIL AND SUPPLIES

WHEREAS, The House has learned with sincere sorrow of the untimely death of Wallace S. Thompson of Wilmot and whereas we recognize the loss we have sustained in the passing of one of our most esteemed attachees and the still greater loss sustained by those nearest and dearest to him, be it

Resolved, That the deepest sympathy of the House of Representatives be extended to the wife and family of our deceased friend in their burden of sorrow, and be it further

Resolved, That the Clerk of the House despatch a copy of these resolution to Mrs. Wallace S. Thompson.

DONALD W. SALTMARSH,
H. RAYMOND DANFORTH,
ADAM E. MOCK,
Committee on Resolutions.

On motion of Mr. Rowe of Henniker at 3:28 o'clock the House adjourned.

FRIDAY, APRIL 9, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Winkley of Ossipee, Syphers of Greenland,

Sturtevant, and Wylie of Concord were granted leaves of absence for the day on account of important business.

Mr. Houston of Thornton was granted leave of absence for the day on account of attending a funeral.

WEEK END ADJOURNMENT

On motion of Miss Myler of Berlin,

Resolved, that when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 64, An act to make uniform the procedure on interstate extradition, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 65, An act providing that the state of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses

who may be on probation or parole, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 131, An act relative to brakes on trailers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the entire section and substituting therefor the following:

1. *Motor Vehicle Trailers.* Amend chapter 106 of the Laws of 1933 by inserting after section 7 the following new section: 7-a. *Brakes.* No motor vehicle trailer whose gross weight is 2500 lbs. or over shall be operated on the highways of this state unless it shall be provided with adequate brakes in good working order.

The report was accepted the amendment adopted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 98 (in new draft) An act relating to the purity of elections, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Barnard of Manchester the bill with the accompanying report was laid upon the table.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of

the Statutes, to whom was referred House Bill No. 436, An act providing for a special fund for improvement and maintenance of public waters, reported the same in a new draft with the recommendation that the bill be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Jenkins of New Durham for the Committee on Mileage, to whom was referred House Bill No. 240, An act relating to transportation of members of the legislature, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Etsler of Claremont for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 129, Joint resolution providing for a special commission to study the question of the salaries of the justices of the supreme and superior courts, with the recommendation that the joint resolution be referred to the Committee on Judiciary.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 130, Joint resolution in favor of Alice Spear Small, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Ahern of Concord the printing of the joint resolution and its reference to a committee was dispensed with and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 448, An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 449, An act relating to the compensation of the County Treasurers, with the recommendation that the bill be referred to the Committee on Towns and Counties.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Towns and Counties.

On motion of Mr. Seavey of Rochester, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 131, Joint resolution in favor of Mrs. Wallace S. Thompson, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Seavey of Rochester the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 23, An act relating to night fishing in Androscoggin River.

House Bill No. 69, An act relating to fur-bearing animals.

House Bill No. 177, An act to make uniform the law of fresh pursuit and authorizing this state to co-operate with other states therein.

House Bill No. 233, An act relating to aureolus trout.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

The message further announced that,

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 320, An act relating to maternal and child health and to crippled children.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Board of Health.* Amend section 11 of chapter 128 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 11. *Maternal and Child-Health Services.* The board may administer a program of maternal and child-health services, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to provide, develop, extend, and improve state and local maternal and child-health services, including local maternal and child-health services administered by local units, to provide for

co-operation with medical, nursing, and welfare groups and organizations, and to provide for the development of demonstration services in needy areas and among groups in special need. Nothing in this section, however, or in sections, 12, 13 or 14 of this chapter, shall in any way affect the operation of the provisions of chapter 116 of the Public Laws, or of chapter 123 of the Public Laws, or of any other provision of the Public Laws providing maternal or child-health services.

2. *Services Authorized.* Amend said chapter 128 by inserting after section 11 as hereinbefore amended the following new sections: 12. *Crippled Children.* The state board of health may administer, and is hereby designated as the agency of the state to administer, a program of services for children who are crippled or who are suffering from conditions which lead to crippling, and shall supervise the administration of those services included in the program which are not administered directly by it. The purpose of such program shall be to develop, extend, and improve services for locating such children, and for providing for medical, surgical, corrective, and other services and care, and for facilities for diagnosis, hospitalization, and after care. 13. *Authorization.* The board is hereby authorized: I. To formulate and administer a detailed plan or plans for the purposes specified in sections 11 and 12, and to make such rules and regulations as may be necessary or desirable for the administraiton of such plans and provisions of this act; II. To receive and expend in accordance with such plans all funds made available to the board by the federal government, the state or its political subdivisions, or from other sources, for such purposes; III. To co-operate with the federal government, through its appropriate agency or instrumentality, and with other state and local agencies and organizations, in developing, extending, and improving the services specified in sections 11 and 12, and in the administration of such plans. 14. *Limitation.* Nothing in this

chapter shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing *in loco parentis* to such child, except pursuant to a proper court order. 15. *Penalty.* Any person violating the provisions of this chapter, or any rule, regulation or ordinance of said board made under the authority of this chapter, shall be guilty of a misdemeanor.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Maxham of Concord the House concurred in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that,

The Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 81, An act relating to taking of deer in Carroll county.

SENATE BILL READ AND REFERRED

Senate Bill No. 81, An act relating to taking of deer in Carroll county.

The bill was read a first and second time and referred to the Committee on Fisheries and Game.

UNFINISHED BUSINESS

Mr. Conlon of Concord called for the unfinished business, House Bill No. 264 (in new draft), An act to regulate the practice of barbering, reported from the Committee on Public Health with the recommendation that the bill ought to pass with an amendment.

The question being on the amendment.

On motion of Mr. Conlon of Concord the bill was recommitteed to the Committee on Public Health.

ORDER VACATED

Mr. Hart of Wolfeboro moved that the order whereby House Bill No. 449, An act relating to the compensation of the county treasurers was referred to the Committee on Towns and Counties be vacated and the bill referred to a special Committee consisting of the Delegation from Carroll county.

The question being on the motion of Mr. Hart.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke for the motion and Mr. Seavey of Rochester spoke against the motion.

On a *viva voce* vote the affirmative prevailed.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Barnard of Manchester the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

Senate Bill No. 64, An act to make uniform the procedure of interstate extradition.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the

United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Gage of Manchester at 11:55 o'clock the House adjourned.

MONDAY, APRIL 12, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, April 12, 1937.

Mr. Philip Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Hoyt of Sandwich at 7:31 o'clock the House adjourned.

TUESDAY, APRIL 13, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Merrill of Exeter was granted leave of absence for the day on account of important business.

Mr. Tilton of Laconia, Ward 4 was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Plumer of Alexandria was granted leave of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 60, An act to amend the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

House Bill No. 23, An act relating to night fishing in the Androscoggin river.

House Bill No. 69, An act relating to fur-bearing animals.

House Bill No. 154, An act relating to unpaid taxes on personal property conveyed by common law assignment.

House Bill No. 177, An act to make uniform the law on fresh pursuit and authorizing this state to co-operate with other states therein.

House Bill No. 196, An act relating to the sale of meat, fish, and fowl.

House Bill No. 233, An act relating to taking aureolus trout.

House Bill No. 269, An act relating to definition of package in the laws relating to weights and measures.

House Bill No. 320, An act relating to maternal and child health and to crippled children.

House Bill No. 392, An act accepting the provisions of

the act of Congress relative to the further development of co-operative agricultural extension work.

House Bill No. 397, An act changing the name of a certain pond in the town of Gilmanton.

House Bill No. 399, An act relative to acceptance of certain federal aid road acts.

House Bill No. 406, An act in relation to tax collectors.

House Bill No. 413, An act authorizing the town of Conway to issue refunding notes or bonds.

House Bill No. 418, An act relating to legal holidays.

House Bill No. 428, An act legalizing the proceedings of the town meeting held in the town of Middleton, March 9, 1937.

Senate Joint Resolution No. 4, Joint Resolution establishing a commission for the study of occupational diseases in New Hampshire.

House Joint Resolution No. 61, Joint Resolution relative to the estate of Mary E. Gardner.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills to whom was referred Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicle Operation Without a License Prima Facie Evidence of Unfitness.* Amend section 9 of chapter 101 of the Public Laws by adding at the end thereof the following; and if any person shall operate a motor vehicle in violation of this section such violation in any civil action shall be *prima facie* evidence of his unfitness to operate a motor vehicle, so that said section as amended shall read as follows: 9. *License Necessary.* No person shall operate a motor vehicle upon any way in this state unless licensed

under the provisions of this title, or permit such a vehicle owned or controlled by him to be so operated by a person not so licensed, except as otherwise herein provided, and if any person shall operate a motor vehicle in violation of this section such violation in any civil action shall be *prima facie* evidence of his unfitness to operate a motor vehicle.

On motion of Mr. Seavey of Rochester, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 277 (In new draft), An act relating to marriage, reported the same with the recommendation that the bill ought to pass.

Mr. McDonough of Dover moved that the words inexpedient to legislate be substituted for the words ought to pass.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. McDonough of Dover, and Wilcox of Nashua spoke in favor of the motion. Messrs. Kelley of Newport, and Seavey of Rochester spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Smith of Hudson offered the following amendment:

Amend said bill by inserting after line 23 the following: exception: said law shall not affect parties where both reside outside the state.

The question being on the adoption of the amendment.

(Discussion ensued)

Mr. Smith of Hudson spoke in favor of the amendment, Mr. Kelley of Newport spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Wilcox of Nashua offered the following amendment:

Amend section 1 of Bill No. 277, by inserting in line 14, after the word "marry," the following: And all other persons inhabitants of this State on the first day of January, 1938, shall file with the Clerk of the Town, in which he or she then resides a statement signed by a licensed physician, "that he or she has submitted to a Wassermann or Kahn or other standard laboratory blood test and that in the opinion of such physician he or she is not infected with syphilis or in the state of the disease that may become communicable, and that such statements shall be accompanied by a record of a standard laboratory blood test made, which record shall contain the exact name of the person so tested.

The question being on the amendment.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the amendment. Mr. Kelley of Newport spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. McDonough of Dover offered the following amendments:

Amend section 1 of Bill No. 277, by changing the words, "disease" and "test," wherever found in said section to the words "diseases" and "tests."

Amend section 1 of Bill No. 277 by inserting after the word "syphilis" in line 10 the words "or gonorrhea" and also after the word "of" in the same line, the words "either of", so that line 10 as amended will read as follows: "not affected with syphilis or gonorrhea or in the stage of, "either of the diseases."

Amend section 1 of Bill No. 277, line 16, by striking out the Article A in line 16, and adding after the word "syphilis", in the same line, the words "or gonorrhea," so that said line 16, will read, be laboratory tests for syphilis or gonorrhea approved by the State.

The question being on the amendments.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the amendments.

On a *viva voce* vote the negative appeared to prevail.

Mr. McDonough of Dover asked for a division.

A division being taken 224 members voted in the affirmative and 75 members voted in the negative and the amendments were adopted.

Mr. McDonough of Dover offered the following amendment:

Amend section 1 of Bill No. 277, by adding thereto "no person shall make any blood tests for the purpose of making a record in conformity with this section, without first having filed with the Insurance Commissioner a bond in the amount of $20,000.00 and in such form that will afford satisfaction of any judgment that may be recovered against such person, owing to his negligent or wilful mis-conduct in making such blood tests and record."

The question being on the amendment.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the amendment, Mr. Kelley of Newport spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. McDonough of Dover offered the following amendment.

Amend section 1 of Bill No. 277, by adding thereto the following: "and any person negligently making a false record, or willfully falsifying a record of said tests, shall on conviction thereof be fined not less than $5,000.00, nor more than $10,000.00, or be imprisoned for not more than seven years, or both, and doubly liable for the amount of damages found by a jury in favor of any person injured by such record."

The question being on the amendment.

(Discussion ensued)

Mr. McDonough spoke in favor of the amendment.

On a *viva voce* vote the negative appeared to prevail.

Mr. Clancy of Manchester asked for a division.

A division being taken 158 members voted in the affirmative and 134 members voted in the negative and the amendment was adopted.

Mr. Sanderson of Pittsfield demanded the yeas and nays.

Mr. McDonough of Dover spoke in favor of the amendment.

Messrs. Sanderson of Pittsfield, and Kelley of Newport spoke against the amendment.

The roll was called with the following result:

YEAS 166

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Fogg of Deerfield, Beede, Palmer of Kensington, Pridham, Turcotte of Newmarket, Estabrook of Newton, Knowles, Palmer of Plaistow, Dondero, Gray, Yeaton, Canty, Rose, Marston, Downe, Butterfield of Windham.

STRAFFORD COUNTY: Chabot, Durkin, Garland, Blaisdell, Lucas, McDonough, Blanchard, Richards, Caldwell.

BELKNAP COUNTY: Rollins, White, O'Shan, Tarlson, Normandin, Hoyt of Laconia, Cantin, Dickson of Laconia, Newell, Helms.

CARROLL COUNTY: Russell, Mudgett, Quint, Huntress, Winkley.

MERRIMACK COUNTY: Munroe, Coakley, Rivet, Stearns of Concord, Kemp, Mansur, Maxham, Carignan, Lemire, Dempsey, Douphinett, Fowler, Johnson of Hooksett, Ball, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Stearns of Hancock, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Gage, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey,

Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, Mahoney, Sweeney of Ward 5, Manchester, Arthur J. Connelly, of Ward 6, Manchester, Paul J. Connelly, of Ward 6, Manchester, Jordan of Manchester, Gorham, Horan, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Walsh, Hayes of Manchester, Lareau, Gaudrealt, Haggerty, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Maker, Frost, James, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, St. Francois, Ledoux, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Corliss.

CHESHIRE COUNTY: Firmin, Robertson, Despres, Callahan, Knowlton of Keene, Duffy, Roche, Crane, Dubois of Swanzey, Barrett of Troy, Britton, Horner.

SULLIVAN COUNTY: Danforth, Chandler of Claremont, Daly, Etsler, Hosking, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Kempton.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Graham, Remick of Groton, Perkins of Holderness, Titus, Dubuque, Sliney, Madden, Taylor, Dreghorn.

COOS COUNTY: Collette, Moffett, Roy, Montminy, Palmer, of Berlin, Bixby, Dutil, Ramsey of Colebrook, Parkhurst, Marshall, Judd, Brown of Stratford.

NAYS, 201

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Dickinson of Danville, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Fecteau, McReel, Tozier, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Rousseau, Mudge, Fernald, Barrett of Portsmouth, Kittredge, Foote, Pray, Cogan, Badger, Manor, Peever, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, McCooey, Caswell, Durnin, Whitehouse, Longley, Colby, Dustin, Cartier, Bergeron, Dickinson of

Rochester, Seavey, Varney, Lagueux, Habel, Boucher, Labonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Little, Adams of Belmont, Hunt, Edgerly, Tilton of Ward 4, Laconia, Sanders, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Churchill, Day, Downs, Head, Banfield, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Baker, Boutwell, Butterfield of Concord, Conlon, Saltmarsh, Tilton of Concord, Brunel of Concord, Matson, Wiley, Sharaf, Ahern, Donovan, Nutter of Epsom, Rowe, Mitchell, Lovely, Carr, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Avery, Pattee, Reynolds, Charois, Boynton, Cole, Lievens, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Kelley of Ward 11, Manchester, Wadleigh, Atherton, Cooper, Winslow of Nashua, Moran, Lougee, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Sawyer of Jaffrey, Graves, Olson, Jones of Keene, Gates, Hilton, Hemenway, Tolman, Woodbury of Sullivan, Granger, King, Burbank of Winchester.

SULLIVAN COUNTY: Hutchins of Charlestown, Gaffney, Howe, Quimby, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers.

GRAFTON COUNTY: Bailey of Bath, Remick of Bristol, Pulsifer, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Houston, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Studd, Brungot, Ramsey of Ber-

lin, Dugas, Myler, Seymour, Felton, Dickson of Colebrook, Jordan of Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Rix, Fuller, Whitcher.

The amendment was not adopted.

The question being shall the bill be read a third time.

(Discussion ensued)

Mr. McDonough of Dover spoke against the question.

Mr. Wylie of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *vive voce* vote the previous question was ordered.

The question being,

Shall the bill be read a third time?

On a *viva voce* vote the affirmative prevailed.

Mr. McDonough of Dover demanded the yeas and nays, and the roll was called with the following result:

YEAS, 183

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Dickinson of Danville, Burbank of Derry, Hepworth, Pillsbury, McReel, Syphers, Emerson, Stevens, Nesmith, Knowles, Mudge, Barrett of Portsmouth, Dondero, Kittredge, Foote, Manor, Peever, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, McCooey, Caswell, Durnin, Blanchard, Whitehouse, Longley, Colby, Dustin, Cartier, Bergeron, Dickinson of Rochester, Seavey, Varney, Lagueux, Habel, Boucher, Labonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Little, Adams of Belmont, White, Hunt, Edgerly, Tilton of Ward 4, Laconia, Newell, Sanders, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Churchill, Downs, Mudgett, Quint, Head, Banfield, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of

Bow, Boutwell, Butterfield of Concord, Conlon, Saltmarsh, Tilton of Concord, Brunel of Concord, Matson, Wiley, Sharaf, Donovan, Nutter of Epsom, Rowe, Fowler, Mitchell, Ball, Merrill of Loudon, Lovely, Carr, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Boynton, Cole, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Kelley of Ward 11, Manchester, Maker, Wadleigh, Atherton, Cooper, Winslow of Nashua, Moran, Cormier, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Sawyer of Jaffrey, Graves, Olson, Jones of Keene, Gates, Hilton, Hemenway, Tolman, Granger, King, Burbank of Winchester.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Howe, Quimby, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers.

GRAFTON COUNTY: Bailey of Bath, Remick of Bristol, Pulsifer, Graham, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Collins, Hamilton, Hildebrand, Soper, Bailey of Lyme, Lufkin, Howard, Bell, Merrill of Plymouth, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Studd, Ramsey of Berlin, Dugas, Myler, Seymour, Dickson of Colebrook, Jordan of Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Rix, Fuller, Whitcher.

NAYS, 177

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Fogg of Deerfield, Abbott of Derry, Fecteau, Tozier, Beede, Perkins

of Hampton, Creighton, Palmer of Kensington, Pridham, Rousseau, Turcotte of Newmarket, Estabrook of Newton, Palmer of Plaistow, Gray, Pray, Yeaton, Canty, Cogan, Badger, Rose, Marston, Adams of Seabrook, Butterfield of Windham, Drowne.

STRAFFORD COUNTY: Chabot, Durkin, Garland, Blaisdell, Lucas, McDonough, Richards, Caldwell, Jenkins.

BELKNAP COUNTY: Rollins, O'Shan, Tarlson, Normandin, Hoyt of Laconia, Cantin, Dickson of Laconia, Martin, Helms.

CARROLL COUNTY: Russell, Day, Huntress, Winkley.

MERRIMACK COUNTY: Munroe, Coakley, Rivet, Stearns of Concord, Kemp, Mansur, Maxham, Ahern, Carignan, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Odell, Stearns of Hancock, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, Mahoney, Sweeney of Ward 5, Manchester, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Jordan of Manchester, Gagnon, Gorham, Horan, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Walsh, Hayes of Manchester, Lareau, Gallagher, Gaudreault, Haggerty, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Frost, James, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Molloy, Noel, Wilcox, Bouthillier, Corliss.

CHESHIRE COUNTY: Firmin, Robertson, Despres, Callahan, Knowlton of Keene, Duffy, Roche, Woodbury of Sullivan, Crane, Dubois of Swanzey, Barrett of Troy, Britton, Horner.

SULLIVAN COUNTY: Danforth, Chandler of Claremont,

Daly, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Kempton, Cram.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Remick of Groton, Brunelle of Haverhill, Dubuque, Sliney, Madden, Jones of Monroe, Taylor.

Coos COUNTY: Barden, Collette, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Bixby, Dutil, Felton, Ramsay of Colebrook, Parkhurst, Marshall, Judd, Brown of Stratford.

And the bill was ordered to a third reading.

On motion of Mr. Jordan of Manchester at 1:15 o'clock the House took a recess till 2:55 o'clock.

(After Recess)

The House was called to order.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution, No. 127, Joint resolution for the purchase and installation of a vault in the office of the state treasurer, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 216, An act providing for one day of rest in seven, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

LETTERS TO HOUSE

The Speaker read the following letters:

Wilmot Flat, N. H.
April 11, 1937.

House of Representatives,
Concord, N. H.

I wish to express my own personal appreciation for the beautiful flowers you sent in my bereavement. I also wish to extend the appreciation of Wallace's brothers, Arthur and Wilbur and his sister, Virginia. I am sure they would wish me to do this.

MRS. WALLACE S. THOMPSON.

To the House of Representatives:

The Smith family wishes to express deep appreciation of the resolutions adopted by the House upon the passing of our father.

ESTHER H. SMITH,
for the family.

April the eighth.

WORKS PROGRESS ADMINISTRATION
FOR NEW HAMPSHIRE

Manchester, New Hampshire.
April 9, 1937.

Mr. Harrie M. Young, Clerk,
House of Representatives,
State Legislature,
Concord, New Hampshire.

DEAR MR. YOUNG:

Thank you for the note of appreciation of the performance of our Band on Wednesday, April 7th.

It was a pleasure for the men to play before such a distinguished assemblage, and I appreciated the opportunity of

showing the members of the Legislature something of the work we are doing.

Very sincerely yours,

HARRY C. WHITTEMORE,

State Director Federal Music Project.

CONCURRENT RESOLUTION

Mr. Molloy of Nashua offered the following resolution:

Resolved by the Senate and House of Representatives in General Court convened:

That, whereas it appears that all necessary legislative work may easily be accomplished by April 29 instant; therefore be it,

Resolved, by the House of Representatives and the Senate concurring that the present session of the legislature be brought to final adjournment on Thursday, April 29, at 5 o'clock in the afternoon and be it further

Resolved, that all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature or the special fall session, be indefinitely postponed.

The question being on the resolutions.

(Discussion ensued)

Mr. Molloy of Nashua spoke in favor of the resolution, Messrs. Seavey of Rochester and Callahan of Keene spoke against the resolution.

On motion of Mr. Seavey of Rochester the resolution was laid upon the table.

On motion of Mr. Callahan of Keene at 3:10 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the office of the state treasurer.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 277 (in new draft), An act relating to marriage.

The question being

Shall the bill pass?

Mr. McDonough of Dover moved that the bill be indefinitely postponed.

The question being on the motion of Mr. McDonough.

(Discussion ensued)

Messrs. McDonough of Dover and Wilcox of Nashua spoke in favor of the motion. Mr. Kelley of Newport spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Ahern of Concord asked for a division.

A division being taken 150 members voted in the affirmative and 151 members voted in the negative and the motion did not prevail.

Mr. Daly of Claremont demanded the yeas and nays and the roll was called with the following result:

YEAS, 147

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Fogg of Deerfield, Abbott of Derry, McReel, Tozier, Beede, Perkins of Hampton, Creighton, Palmer of Kensington, Pridham, Estabrook of Newton, Palmer of Plaistow, Gray,

Pray, Yeaton, Canty, Rose, Gile, Marston, Manor, Drowne, Butterfield of Windham.

STRAFFORD COUNTY: Chabot, Durkin, Garland, Blaisdell, Lucas, McDonough, Blanchard, Richards, Jenkins, Bergeron.

BELKNAP COUNTY: Rollins, Tarlson, Normandin, Hoyt of Laconia, Cantin, Dickson of Laconia, Newell, Martin, Helms.

CARROLL COUNTY: Russell, Huntress, Winkley.

MERRIMACK COUNTY: Courtemanche, Munroe, Coakley, Rivet, Stearns of Concord, Kemp, Maxham, Ahern, Carignan, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Ball, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Clark of Bedford, Stearns of Hancock, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Gage, Casey, Kelley of Ward 3, Manchester, Clark of Manchester, Corey, Betley, Clancy, Healy, Mahoney, Gorham, Bouthiette, Constant, Donnelly, Farland, Poulin, Walsh, Hayes of Manchester, Lareau, Gallagher, Gaudreault, Sweeney of Ward 11, Manchester, Aubin, Caron, Soucy, Lariviere, St. Germain, Frost, James, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Corliss, Currier.

CHESHIRE COUNTY: Firmin, Robertson, Callahan, Knowlton of Keene, Gates, Roche, Crane, Dubois of Swanzey, Barrett of Troy.

SULLIVAN COUNTY: Danforth, Chandler of Claremont, Daly, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Kempton, Cram.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Remick of Bristol, Remick of Groton, Brunelle of Haverhill, Dubuque, Jones of Monroe.

COOS COUNTY: Barden, Collette, Moffett, Roy, Bixby, Ramsay of Colebrook, Parkhurst, Parker, Marshall, Judd, Brown of Stratford.

NAYS, 162

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Burbank of Derry, Hepworth, Syphers, Emerson, Stevens, Nesmith, Knowles, Dondero, Foote, Cogan, Badger, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, McCooey, Durnin, Caldwell, Whitehouse, Longley, Colby, Dustin, Cartier, Dickinson of Rochester, Seavey, Varney, Nutter of Rollinsford, Lagueux, Habel, Boucher, Labonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Little, White, Hunt, Edgerly, Sanders, Smith of New Hampton.

CARROLL COUNTY: Churchill, Day, Downs, Mudgett, Quint, Head, Banfield, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Carter, Brown of Bow, Baker, Mansur, Butterfield of Concord, Conlon, Saltmarsh, Tilton of Concord, Wiley, Donovan, Nutter of Epsom, Rowe, Fowler, Mitchell, Lovely, Carr, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Avery, Pattee, Reynolds, Charois, Boynton, Chase, Daniels, Greer, Knowlton of Manchester, Johnson of Manchester, Kimball, Woodbury of Manchester, Booth, Kelley of Ward 11, Manchester, Maker, Wadleigh, Cooper, Winslow of Nashua, Moran, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Graves, Olson, Jones of Keene, Hilton, Hemenway, Tolman, Woodbury of Sullivan, Granger, King.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Howe, Quimby, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers.

GRAFTON COUNTY: Bailey of Bath, Pulsifer, Graham, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Hamilton, Hildebrand, Magoon, Soper, Bailey of

Lyme, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Studd, Brungot, Ramsey of Berlin, Dugas, Myler, Seymour, Dickson of Colebrook, Jordan of Errol, Willis, Cryan, Fogg of Milan, Johnson of Northumberland, Rix, Fuller, Whitcher.

And the motion to indefinitely postpone did not prevail.

The question being,

Shall the bill pass?

On a *viva voce* vote the bill passed.

Mr. McDonough of Dover asked for a division.

A division being taken 157 members voted in the affirmative and 134 members voted in the negative and the bill passed and was sent to the Senate for concurrence.

On motion of Mr. Baker of Conocrd at 4:13 o'clock the House adjourned.

WEDNESDAY, APRIL 14, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Soucy of Manchester and Abbott of Hudson were granted leave of absence for the day on account of attending a funeral.

Mr. Lievens of Hollis was granted leave of absence for Thursday on account of important business.

Mr. Boucher of Somersworth was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Currier of Pelham was granted leave of absence for the rest of the week on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 64, An act to make uniform the procedure on interstate extradition, reported the same under Joint Rule No. 6 with the following amendments and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting before the first section the following:

1. *Interstate Extradition.* Amend chapter 377 of the Public Laws by striking out the entire chapter and inserting in place thereof the following:

Amend section 24 of said bill by striking out the same and inserting in place thereof the following: 24. *Expenses.* All expenses of officers of this state in connection with extradition proceedings under the provision of this act shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed except as provided in the case of recommitment of certain paroled convicts as provided by section 38, chapter 369, of the Public Laws, as amended by chapter 66, of the Laws of 1935.

Amend said bill by renumbering sections 25-a and 25-b to read 26 and 27 respectively and renumbering sections 26, 27, 28 to read 28, 29, 30.

Further amend said bill by striking out section 29.

Amend section 30 of said bill by renumbering it 31.

Amend section 31 of said bill by renumbering it section 32.

On motion of Mr. Tilton of Ward 4, Laconia, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendments.

Mr. Hilton of Keene, for the Committee on Transportation, to whom was referred House Bill No. 191 (In Second

New Draft), An act relating to the weights of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 2 and inserting in place thereof the following:

"2. *Terms.* Said notes or bonds shall be issued in conformity to the Public Laws, chapter 59, covering a period of not exceeding twenty years. Said serial notes or bonds shall bear interest of not exceeding 5 per cent and shall be exempt from taxation in New Hampshire and shall be signed by the District Commissioners or by a majority thereof and countersigned by the District Treasurer."

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 421, An act to provide for a merit or civil service system for state employees, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the entire section and substituting therefor the following:

"Sect. 4. *State Civil Service Board.* There is hereby created a State Civil Service Board to consist of three members, to be appointed by the Governor with the advice and consent of the Council, to serve without pay, not more than two of whom shall be of the same political party. The members shall hold office for six years, except that the original appointments shall be for two, four and six years, and each member shall hold office until his successor shall be appointed and qualified. The governor shall designate one member as chairman."

Amend sub-division (1) of section 3 by adding at the end thereof the words "nor the University of New Hampshire and the State Normal Schools", so that said sub-division (1) as amended will read:

"(1) 'Civil Service of the State' or 'State Service' means all offices and positions of trust or employment in the service of the state but not of local governmental sub-divisions thereof nor the University of New Hampshire and the State Normal Schools."

Amend section 7 by adding the following additional sub-division:

"o. Technical experts employed temporarily by the State in an advisory or consulting capacity."

Amend sub-division 2 of section 14 by inserting in line four of said sub-division 2 after the word "ratings" the following sentence: "Honorably discharged veterans of any war in which the United States has been engaged successfully passing examinations shall be placed upon the register ahead of one receiving the same rating, but below one receiving a higher rating" so that said sub-division as amended shall read:

"The names of all persons attaining the minimum final earned ratings established by the Director in advance of the giving of the test shall be placed upon the register in

order of their ratings. Honorably discharged veterans of any war in which the United States has been engaged successfully passing examinations shall be placed upon the register ahead of one receiving the same rating, but below one receiving a higher rating. Each register of eligibiltiy shall remain in force until exhausted, until replaced by a more recently prepared register, or until two years from the date of its preparation. However, the names of persons who have indicated in writing to the Director that they are unwilling to accept appointment or who have been certified for appointment three times and not appointed may, at the discretion of the Director, be dropped from the register. Any person who has twice waived appointment may, at the discretion of the Director, be placed at the foot of the register. Any appointing officer or any other person who shall procure the signing of a waiver by an eligible by fraud, misrepresentation, duress, or promise shall be guilty of a misdemeanor.

The report was accepted.

The question being on the amendments.

Mr. Marquis of Nashua moved that the bill with the amendments pending be laid upon the table and made a special order for Tuesday, April 20, at 11:01 o'clock.

The question being on the motion of Mr. Marquis.

(Discussion ensued as to time)

Messrs. McDonough of Dover and Marquis of Nashua spoke in favor of the motion. Mrs. Cooper of Nashua and Mr. Etsler of Claremont spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Sanderson of Pittsfield offered the following amendment to the amendment proposed by the committee:

Amend said amendment by striking out in line 4 of the amendment the word three, and substituting in place thereof the word four.

The question being on the amendment.

(Discussion ensued)

Mr. Sanderson of Pittsfield spoke in favor of the amendment, and Mr. Etsler of Claremont spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Sanderson of Pittsfield asked for a division.

A division being taken, 112 members voted in the affirmative and 200 members voted in the negative, and the amendment was not adopted.

On a *viva voce* vote the amendments reported by the committee were adopted.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Rogers of Plainfield for the Committee on Agriculture, to whom was referred Senate Bill No. 66, An act to protect and promote the public health by eradicating Bang's disease and tuberculosis in cattle, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Messrs. Callahan of Keene, Dickinson of Danville, and Graham of Canaan spoke in favor of the motion. Messrs. Rogers of Plainfield, Tilton of Ward 4, Laconia, Perley of Lebanon, Tenny of Chester, Wiggin of Tamworth and Wylie of Concord spoke against the motion.

Mr. Wylie of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the bill be indefinitely postponed?

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Dickinson of Danville asked for a division.

A division being taken, 195 members voted in the affirmative and 128 members voted in the negative, and the bill was indefinitely postponed.

Mr. Osborne of Sunapee for the Committee on Ways and Means, to whom was referred House Bill No. 414, An act relating to so-called "Bookies," reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 414, An act relating to so-called "Bookies," being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM J. CALLAHAN,
A Minority of the Committee.

Mr. Noel of Nashua offered the following amendment to the minority report.

Amend said bill by inserting in the sixth line thereof the following: A tax of 3 per cent shall be collected by the State on all money taken in for bets by said bookie. Each bookie shall post a bond of $10,000 to insure bettor of some degree of protection.

Mr. Noel of Nashua moved that the report of the minority be substituted for the report of the majority and with the motion pending moved that the bill and reports with the amendment pending be laid upon the table and made a special order for Tuesday, April 20, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Baker of Concord at 12:40 o'clock the House took a recess till 2:50 o'clock.

(After recess)

The House was called to order.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 362, An act relating to definition of terms used in the liquor laws, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 362, An act relating to definition of terms used in the liquor laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Tavern Defined.* Amend paragraph VII of section 1, chapter 99 of the Laws of 1933 by striking out said paragraph and inserting in place thereof the following: VII. "Tavern," an establishment where beverage may be sold, with or without food to patrons standing at counters or sitting at tables in plain view of all other patrons, where all entrances to said taverns shall be from a public way, and where no screen, or other obstruction shall prevent a clear view of the interior of the tavern, which shall be properly lighted when open for business.

2. *Licenses.* Amend said chapter 99 by inserting after section 8 the following new sections:

8-a. *Permit.* The commission may issue on-sale permits to taverns, as herein defined, according to the following provisions. No more than one such on-sale permit for tavern shall be issued in a town of two thousand inhabitants or less, and in other towns and cities no more than one such permit for each two thousand or fractional part thereof of the population of said city or town. No such tavern shall be located within three hundred feet of any church or school.

8-b. *Regulations.* Such on-sale permit for tavern shall

authorize the permittee to sell beverages for consumption on the premises designated in the permit. No female shall be employed in any capacity in said tavern, and no female shall be served or permitted to purchase beverage in said tavern.

3. *First-class Restaurants.* Amend section 8 of said chapter 99 as amended by chapter 23 of the Laws of 1935 by striking out said section and inserting in place thereof the following:

8. *On-sale Permits.* On-sale permits, except as otherwise provided for taverns, shall be issued only for first-class restaurants or for hotels or for clubs. The determination of what is a first-class restaurant is to be within the discretion of the commission. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of first-class restaurants, at public tables upon the premises designated in the permit, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the commissioners; or in the case of hotels or clubs, at tables or in rooms of guests or members. It shall be within the discretion of the commission to issue to a permittee under this act a special permit to sell beverages.

4. *Takes Effect.* This act shall take effect upon its passage.

CHARLES P. COAKLEY
LOYAL P. BROWN

A minority of the committee.

The undersigned, a Second Minority of the Committee on Liquor Laws to whom was referred House Bill No. 362, An act relating to definition of terms used in the liquor laws, reported the same with the following amendments

and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend section 1, chapter 99 of the laws of 1933 by adding an additional article numbered XVI as follows:

XVI. "State Tavern", an establishment where beverages, as defined in said chapter 99, may be sold, by the Commission, to be served and drunk by patrons sitting at tables, or served to and drunk by patrons standing at counters, in plain view of all other patrons; and where all entrances shall be from a public way.

2. Amend said chapter 99 by adding after section 1 thereof the following sections:

1-a. *State Taverns.* Said Commission is hereby authorized to purchase, lease and equip in the name of the State such stores and other merchandising facilities for the sale of beverages in state taverns as are necessary to carry out the provisions of this act. Any lease or contract made pursuant hereto shall be approved by the Attorney General before becoming effective.

1-b. *Operation of State Taverns, Sales Agents.* Said Commission may in its discretion operate state taverns for the sale of beverages in such cities and towns as shall have accepted the provisions of this act and may appoint and at pleasure dismiss assistants, special agents and sales agents to sell beverages in said state taverns.

1-c. *Salaries.* All salaries of assistants, special agents and sales agents shall be approved by the Governor and Council.

1-d. *Purchase of Beverages.* All beverages sold in state taverns shall be purchased by the Commission from persons holding wholesale permits as provided for in this act, and persons holding wholesale permits shall, on request of the Commission, sell beverages to the state at the same price said wholesalers sell to other customers.

1-e. *State Tavern Beverage Prices.* Said commission

shall sell beverages in state taverns at a price which shall be a fair average price at which beverages are sold in the vicinity of the state tavern by holders of on-sale permits.

3. *Takes Effect.* This act shall take effect upon its passage.

HARRY S. DICKSON,
A Minority of the Committee.

Mr. Molloy of Nashua moved that the bill and reports with pending amendments be indefinitely postponed.

The question being on the motion of Mr. Molloy.

(Discussion ensued)

Messrs. Molloy of Nashua, James of Nashua, and Callahan of Keene spoke in favor of the motion, Messrs. Coakley of Concord and Dustin of Rochester spoke against the motion.

On a *viva voce* vote the affirmative prevailed.

Mr. Coakley of Concord asked for a division.

A division being taken 284 members voted in the affirmative and 6 members voted in the negative and the bill was indefinitely postponed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 410, An act establishing a secondary highway system.

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 443, An act legalizing the proceedings of the annual Town Meeting held in the town of Pittsfield on March 9, 1937.

House Joint Resolution No. 130, Joint Resolution in favor of Alice Spear Small.

House Joint Resolution No. 131, Joint Resolution in favor of Mrs. Wallace S. Thompson.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 62, An act relating to the protection of the public health.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes and bonds.

Amend the bill by adding a new section to be known as section 3 and to read as follows:

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Colebrook on March 9, 1937, so far as they relate to the appropriations for the purposes set forth in section 1, and the issuance of notes and bonds in pursuance thereof, are hereby legalized, ratified and confirmed and made as effective as if such proceedings were taken after the passage of this act.

Further amend said bill by renumbering sections 3 and 4 to be 4 and 5 respectively.

On motion of Mr. Dickinson of Colebrook the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Morey Memorial Bridge.* The bridge across the Connecticut River between Orford, New Hampshire and Fairlee, Vermont, now being constructed by the State of New Hampshire and the State of Vermont, shall hereafter be designated as the Samuel Morey Memorial bridge.

On motion of Mr. Lufkin of Orford the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

SENATE BILL READ AND REFERRED

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

Read a first and second time and referred to the Committee on Revision of the Statutes.

TAKEN FROM THE TABLE

On motion of Mr. Ball of Hopkinton, Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, was taken from the table and recommitted to the Committee on Conference for the purpose of amendment.

On motion of Mr. Sanborn of Wakefield at 3:38 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 191, An act relating to the weight of motor vehicles.

Read a third time.

The question being:

Shall the bill pass?

Mr. Hoyt of Sandwich moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Hoyt.

(Discussion ensued)

Mr. Hoyt of Sandwich spoke in favor of the motion. Messrs. Hilton of Keene and Cummings of Peterborough spoke against the motion.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 59 members voted in the affirmative and 152 members voted in the negative and the motion did not prevail.

The question being:

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Barnard of Manchester at 4:00 o'clock the House adjourned.

THURSDAY, APRIL 15, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Gaudreault of Manchester was granted leave of absence for the day on account of important business.

Mr. Merrill of Plymouth was granted leave of absence for the rest of the week on account of important business.

Mr. Adams of Belmont was granted leave of absence until further notice on account of illness.

Mr. Tarlson of Laconia was granted leave of absence for the day on account of important business.

PETITION PRESENTED AND REFERRED

By Mr. Maxham of Concord, petition of 87 residents of the State Hospital section on Clinton Street calling attention to the condition of the grounds as being a menace to health.

Presented and referred to the Committee on Appropriations.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 58, An act to amend the charter of Clark School Foundation.

Senate Bill No. 65, An act providing that the State of New Hampshire may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Senate Bill No. 68, An act changing the name of Wicwas pond to Wicwas lake.

House Bill No. 417, An act authorizing the Conway Village Fire District to issue refunding notes or bonds.

House Joint Resolution No. 58, Joint resolution to reimburse the town of Lyme for 1936 flood damage.

Senate Bill No. 63, An act to secure the attendance of witnesses from without a state in criminal proceedings.

House Bill No. 425, An act authorizing the town of Colebrook to issue refunding notes or bonds.

The report was accepted.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 237, An act relating to damage to fruit trees by protected game, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opechee and Winnisquam, and the Winnipesaukee river, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 432, An act to establish a water control commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 126, An act to fix the legal heighth or level of certain bodies of water of the state, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 160, An act relating to the application of the minimum wage act, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill. House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill real a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 429, An act legalizing the March meeting in the town of Hebron.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 82, An act relating to business corporations.

SENATE BILL READ AND REFERRED

Senate Bill No. 82, An act relating to business corporations.

The bill was read a first and second time and referred to the Committee on Judiciary.

RESOLUTION

On motion of Mr. O'Shan of Laconia.

Resolved, that the use of the House of Representatives Hall be granted to the Veterans of Foreign Wars on Sunday, April 25, at 2:30 p. m.

TAKEN FROM THE TABLE

On motion of Mr. Barnard of Manchester, House Bill No. 98 (in new draft) An act relating to the purity of elections, was taken from the table.

The question being,

Shall the bill be read a third time?

(Discussion ensued)

Mr. Callahan of Keene spoke against the bill, Mr. Barnard of Manchester spoke in favor of the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Callahan of Keene asked for a division but subsequently withdrew his request.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 410, An act establishing a secondary highway system.

Amend section 1 of said bill by striking out the word "bill" in the third line and inserting in place thereof the word, act.

Amend section 3 of said bill by inserting before the word "the" in the fourth line the words, upon his recommendation; further amend said section 3 by striking out the word and figures "and 84" in the sixth line and by adding at the end of said section the words and figures, by chapter 139, Laws of 1931.

Amend section 4 of said bill by adding after the word "amended" in the sixth line the words and figures, by section 7, chapter 17, Laws of 1935.

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Courtemanche of Allenstown at 11:50 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives.

House Bill No. 72, An act relating to fire escapes.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Fire Escapes.* Amend section 9 of chapter 147 of the Public Laws by striking out the same and inserting in place thereof the following: 9. *Where Required and Kind to be Provided.* No hotel, inn, lodging or boarding house or institution, in which rooms above the second story are occupied for sleeping purposes, and no building more than two stories in height used or occupied above the second story as a school, theatre, hall for public assembly, factory, mill, shop, apartment or tenement house, shall be let, leased or occupied for such purposes unless provided with safe and adequate fire escapes consisting of metal stairways, with metal balconies, attached to the outer wall in such manner and place as to render egress from such building easy and safe. All windows opening upon such fire escapes shall be of wired glass.

2. *Application of Act.* Further amend said chapter 147 by adding after section 9, as hereinafter amended, the following new sections: 9-a. *Exceptions.* The provisions of section 9 shall not apply to the following buildings:

I. Buildings which are approved by the fire underwriters as being of fire-proof construction.

II. Buildings which are completely equipped with an approved sprinkler system.

III. Buildings, except factories containing materials

readily combustible or products made from such materials, provided with interior fire escapes of fire proof construction enclosed in fire-proof walls and with exits as provided in section 12.

IV. Buildings which are approved by the state board of health or the commissioner of labor as provided in section 9-b.

9-b. *Standards Set Up.* The commissioner of labor is hereby authorized to set standards defining requirements to insure ready and safe egress in the event of fire, for factories and workshops, more than two stories in height, and to approve buildings which conform to such standards. The state board of health is hereby authorized to set such standards for other buildings as defined in section 9 and to approve buildings which conform thereto.

3. *Repeal.* Section 14 of said chapter 147, relative to sprinkler systems, is hereby repealed.

4. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Seymour of Carroll the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

THIRD READINGS

On motion of Mr. Roche of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 174, An act to protect lakes Winnipesaukee, Paugus, Opechee and Winnisquam and the Winnipesaukee river.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 98, An act relating to the purity of elections. Read a third time.

The question being,

Shall the bill pass?

On motion of Mr. Callahan of Keene the bill was laid upon the table.

On motion of Mr. Jones at 3:20 o'clock the House adjourned.

FRIDAY, APRIL 16, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Sawyer of Woodstock, Tenney of Chester, Cheever of Wilton, Winkley of Ossipee, Wylie of Concord, Mrs. Smith of New Hampton and Mrs. Soper of Littleton were granted leave of absence for the day on account of important business.

On motion of Mrs. Mason of Berlin:

Resolved, That when the House adjourns this morning it be to meet on Monday evening at 7:30 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 410, An act establishing a secondary highway system.

The report was accepted.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 436 (In New Draft), An act providing for a special fund for

improvement and maintenance of public waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 59, An act relating to the practice of chiropractic, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 452, An act relating to the membership of the finance commission of Manchester, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. O'Brien of Manchester the rules were suspended and the bill referred to a special committee consisting of the Delegation from the City of Manchester.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 300, An act relating to the appointment of an assistant attorney-general in charge of criminal prosecutions, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Improvements, to whom was referred House Bill No. 251, An act to build a new section of the ocean boulevard west of Hampton beach in the town of Hampton, reported the same with the recommendation that the bill be referred to the next Legislature.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Towns and Counties, to whom was referred House Bill No. 348, An act relating to salaries of the Strafford County Commissioners, reported the same with the recommendation that the bill be referred to the Strafford County Delegation.

The report was accepted.

On motion of Mr. Seavey of Rochester the rules were suspended and the bill referred to a special committee consisting of the Delegation from the County of Strafford.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach village district in the town of Hampton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hart of Wolfeboro for the special committee consisting of the Delegation from the County of Carroll, to whom was referred House Bill No. 449, An act relating to the compensation of the county treasurers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 225, An act relating to the length of motor vehicles.

The message further announced that the Senate had

passed the following bill with an amendment in the passage of which amendment it asked the concurrence of the House of Representatives.

House Bill No. 123, An act relating to licenses for bonded warehouses,

Amend section 2 of said bill by striking out the whole thereof and substituting therefor the following:

2. *Penalty.* Amend chapter 169 of the Public Laws by inserting a new section 1, to be known as section 1-a. Whoever violates any provision of section 1 of this chapter shall be fined not more than two hundred dollars ($200) and imprisoned not more than six months, or both.

On motion of Mr. Barnard of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

SENATE BILL READ AND REFERRED

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

The bill was read a first and second time and referred to the Committee on Revision of the Statutes.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 436, An act providing for a special fund for improvement and maintenance of public waters.

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach village district in the town of Hampton.

House Bill No. 449, An act relating to the compensation of the county treasurers.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 59, An act relating to the practice of chiropractic.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Rix of Shelburne at 11:24 o'clock the House adjourned.

MONDAY, APRIL 19, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, April 19, 1937.

Mr. Harry A. Goodwin,
Bethlehem, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Sharaf of Concord at 7:31 o'clock the House adjourned.

TUESDAY, APRIL 20, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

DEATH ANNOUNCED

The Speaker announced the death of Representative David B. Plumer of Alexandria, and appointed the following committee to represent the House at the funeral and prepare suitable resolutions:

Messrs. Remick of Bristol, Remick of Groton, Hammond of Bridgewater, Fowler of Hill, Sanborn of Wakefield, and Mrs. Smith of New Hampton.

LEAVES OF ABSENCE

Mr. Sharaf of Concord was granted leave of absence for the day on account of jury duty.

Mr. Perkins of Hampton was granted leave of absence for the day on account of illness.

Mr. Tuxbury of Hanover was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 156, An act relating to limited partnerships, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 327, An act to regulate industrial homework, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 72, An act relative to membership of city and town planning

boards, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare, for the Committee on Revision of the Statutes, to whom was referred House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles, reported the same with the recommendation that the bill ought to pass

The report was accepted and the bill ordered to a third reading.

Mr. Wylie of Concord, for the Committee on Education, to whom was referred House Bill No. 161 (In new draft and new title), An act relating to a retirement system, reported the same in a second new draft and with a second new title, and with the recommendation that the bill be recommitted to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Education.

Mr. Conlon of Concord, for the Committee on Liquor Laws, to whom was referred House Bill No. 229, An act relative to the suspension or revocation of beverage permits, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 229, An act relative to the suspension or revocation of beverage permits, reported the same with the recommendation that the bill ought to pass.

ESTHER C. BIXBY,
LEON E. KEMPTON,
HARRY S. DICKSON,
ROBERT W. BURBANK,
MARK H. WINKLEY,
LOYAL P. BROWN,
A Minority of the Committee.

Mr. Kempton of Newport moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Kempton.

(Discussion ensued)

Messrs. Kempton of Newport, Seymour of Carroll, Studd of Berlin, and Dickson of Laconia, spoke in favor of the motion. Messrs. Dustin of Rochester and Coakley of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Seymour of Carroll asked for a division.

A division being taken 147 members voted in the affirmative and 168 members voted in the negative and the motion did not prevail.

Mr. Madden of Lincoln demanded the yeas and nays and the roll was called with the following result:

YEAS, 174

ROCKINGHAM COUNTY: Dagan, Dickinson of Danville, Fogg of Deerfield, Burbank of Derry, Hepworth, Fecteau, Beede, Palmer of Kensington, Stevens, Pridham, Rousseau, Turcotte of Newmarket, Knowles, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Dondero, Kittredge, Foote, Gray, Yeaton, Canty, Cogan, Rose, Peever, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Chabot, Blaisdell, McDonough, Richards, Lagueux, Habel, Boucher, Labonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: O'Shan, Tarlson, Normandin, Tilton of Ward 3, Laconia, Cantin, Dickson of Laconia, Newell, Helms.

CARROLL COUNTY: Huntress, Winkley.

MERRIMACK COUNTY: Courtemanche, Carter, Stearns of Concord, Kemp, Saltmarsh, Maxham, Carignan, Lemire, Johnson of Hooksett, Mitchell, Dupont, Perkins of Pittsfield, Mock.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Pat-

tee, Charois, Barry, Casey, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan, Ward 6, Manchester, Farrell, Gorham, Bouthiette, Chevrette, Constant, Donnelly, Farland, Poulin, Walsh, Driscoll, Hayes of Manchester, Lareau, Gallagher, Gaudreault, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Janelle, Lariviere, Lesmerises, St. Germain, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney.

CHESHIRE COUNTY: Despres, Callahan, Dubois of Swanzey, Granger, Barrett of Troy, Relihan.

SULLIVAN COUNTY: Danforth, Daly, Gaffney, Hosking, Putnam of Claremont, Quimby, Thomas, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Cram.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Remick of Groton, Dubuque, Jones of Lebanon, Sliney, Madden, Hildebrand.

COOS COUNTY: Barden, Collette, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Dutil, Myler, Seymour, Jordan of Erroll, Willis, Cryan, Johnson of Northumberland, Marshall, Judd, Fuller, Brown of Stratford.

NAYS, 190

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Abbott of Derry, Pillsbury, McReel, Merrill of Exeter, Scammon, Tozier, Syphers, Emerson, Creighton, Nesmith, Estabrook of Newton, Mudge, Pray, Badger, Gile, Marston, Manor, Drowne, Adams of Seabrook.

STRAFFORD COUNTY: Hayes of Dover, Henderson of

Dover, McCooey, Caswell, Garland, Durnin, Blanchard, Caldwell, Whitehouse, Longley, Jenkins, Colby, Dustin, Cartier, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Varney.

BELKNAP COUNTY: Rollins, Little, White, Hunt, Edgerly, Hoyt of Laconia, Tilton of Ward 4, Laconia, Sanders, Martin, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Head, Banfield, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Brown of Bow, Coakley, Rivet, Baker, Boutwell, Mansur, Butterfield of Concord, Conlon, Nash, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Wiley, Ahern, Donovan, Nutter of Epsom, Piper, Dempsey, Douphinett, Rowe, Fowler, Ball, Merrill of Loudon, Lovely, Carr, Sanderson, Hill.

HILLSBOROUGH COUNTY: Putnam of Antrim, Avery, Reynolds, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Van Vliet, Maker, Foster, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Duffy, Roche, Hemenway, Rice, Woodbury of Sullivan, King, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Etsler, Howe.

GRAFTON COUNTY: Bailey of Bath, Remick of Bristol, Pulsifer, Graham, Walbridge, Hunter, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, French, Collins, Hamilton, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Ply-

mouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

Coos COUNTY: Mason, Felton, Dickson of Colebrook, Ramsey of Colebrook, Parkhurst, Parker, Thompson of Lancaster, Fogg of Milan, Rix, Whitcher.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 118, (In New Draft), An act relating to pickerel.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relating to the open and closed season for taking fish in certain waters.

Amend paragraph I of section 3 by inserting after the word "Tuftonboro" in the second line the words, Corbetts pond in Windham, so that said paragraph as amended shall read as follows: I. Arlington Mills Reservoir, Big Dan Hole pond in Ossipee and Tuftonboro, Corbetts pond in Windham, Ferrin pond in Weare, Gorham pond in Dunbarton.

Amend paragraph I of section 4 of said bill by striking out said paragraph and inserting in place thereof the following: I. Alder Brook, a tributary of Stearns brook, in Milan and Success, Amos Pike or Starch Factory brook, from its source to the highway leading from the state road to the French pond road and all tributaries of Long Pond in Benton and the area of said Long Pond one hundred

feet from the inlet out into the pond and fifty feet on each side of said inlet.

Amend paragraph VII of section 4 of said bill by adding after the word "therein" in the first line the words, all tributaries of, and by striking out after the words "New London" the words, and its tributaries, so that said paragraph as amended shall read as follows: VII. Pillsbury Reservation, in Washington and all brooks therein, all tributaries of Pleasant lake in New London and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards north from Chandler brook.

Further amend said bill by adding after section 4 the following new section: 5. *Brook Trout.* Amend chapter 201 of the Public Laws as amended by section 5 of chapter 124 of the Laws of 1935, by inserting after section 1 the following new section: 1-a. *Opening Season in Certain Ponds.* In Big Dan Hole pond in Ossipee and Tuftonboro. Pleasant lake in New London, Tewksbury pond in Grafton, and in Sunapee Lake brook trout ten inches and over may be taken from April fifteen to September first and during the month of September by the use of artificial flies only.

Further amend said bill by re-numbering section 5 to read section 6.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

PERSONAL PRIVILEGE

Mr. Etsler of Claremont rose to a question of personal privilege and inquired if it was proper while a member was speaking to address "members of the House" or "ladies and gentlemen."

The Speaker replied that all remarks should be addressed to the Speaker.

RESOLUTION

Mr. Poulin of Manchester offered the following resolution:

Whereas the House has learned of the bereavement of our fellow member, Frank J. Bolton, in the loss of his wife, therefore,

Be It Resolved, That a committee of seven be appointed to draw up suitable resolutions expressing our sympathy to him.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed the following as members of such committee:

John E. Walsh, Eugene J. Poulin, Michael S. Donnelly, George N. Constant, Edward Bouthiette, Henry Farland, Joseph Chevrette.

SPECIAL ORDER

Mr. Noel of Nashua called for the special order House Bill No. 414, An act relating to so-called "bookies."

Reported from the majority of the committee inexpedient to legislate. A minority of the committee reported that the bill ought to pass with an amendment.

The question being:

Shall the report of the minority be substituted for that of the majority?

(Discussion ensued)

Messrs. Noel of Nashua, Callahan of Keene and McDonough of Dover spoke in favor of the motion. Messrs. Sanborn of Wakefield, Hunter of Hanover, Dickinson of Danville, and Dickinson of Rochester spoke against the motion.

Mr. Goodwin of Bethlehem moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being: Shall the report of the minority be substituted for the report of the majority.

On a *viva voce* vote the motion did not prevail.

Mr. Noel of Nashua asked for a division.

A division being taken 117 members voted in the affirmative and 209 members voted in the negative and the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. O'Brien of Manchester at 1:18 o'clock the House adjourned.

AFTERNOON

The House met at 3 o'clock.

THIRD READINGS

On motion of Mr. Barnard of Manchester the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 327, An act to regulate industrial homework.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

Read a third time and passed and sent to the Secretary of State to be engrossed.

NOTICE OF RECONSIDERATION

Mr. St. Francois of Nashua gave notice that on Wednes

day or some subsequent day he would move to reconsider the vote whereby the House adopted the amendment sent down from the Honorable Senate to House Bill No. 118, An act relating to the open and closed season for taking fish in certain waters.

COMMITTEE APPOINTMENT

The Speaker announced the appointment of Mr. Fairbanks of Newport to the Committee on Ways and Means in place of Mr. Plumer of Alexandria, deceased.

On motion of Mr. Foster of Milford at 3:10 o'clock the House adjourned.

WEDNESDAY, APRIL 21, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Kimball of Manchester was granted leave of absence for the day on account of important business.

Mr. Seymour of Carroll was granted leave of absence for Tuesday and Wednesday, April 27, and 28 on account of important business.

Mr. Fairbanks of Newport was granted leave of absence for the week of April 27 on account of important business.

RESOLUTIONS

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns this afternoon it be to meet Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet Monday evening at 7:30 o'clock.

On motion of Mr. Hart of Wolfeboro:

Resolved, That beginning Tuesday, April 27, the hours

of assembling be at 10:00 o'clock in the forenoon and 2:00 o'clock in the afternoon.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 59, An act relating to the practice of chiropractic.

Senate Bill No. 61, An act relating to the operation of motor vehicles by unlicensed operators.

Senate Bill No. 64, An act to make uniform the procedure on interstate extradition.

House Bill No. 72, An act relating to fire escapes.

House Bill No. 113, An act relating to the bridge between Orford, N. H., and Fairlee, Vt.

House Bill No. 209, An act closing certain waters to smelt fishing.

House Bill No. 225, An act relating to the length of motor vehicles.

House Bill No. 416, An act in relation to public baths and swimming pools.

House Bill No. 429, An act legalizing the March meeting in the town of Hebron.

House Bill No. 443, An act legalizing the proceedings of the annual town meeting held in the town of Pittsfield on March 9, 1937.

House Joint Resolution No. 130, Joint resolution in favor of Alice Spear Small.

House Joint Resolution No. 131, Joint resolution in favor of Mrs. Wallace S. Thompson.

The report was accepted.

Mr. Munroe of Andover, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 57, An act relating to temporary sales and solicitations for re-

ligious and benevolent purposes reported the same under joint rule No. 6, with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "authority" in the fourth line the words and figures, under section 70, chapter 42, Public Laws.

On motion of Mr. Baker of Concord the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Whitcher of Whitefield, for the Committee on Forestry and Recreation, to whom was referred House Bill No. 87, An act relating to the forestry and recreation commission, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 6 the following new section:

7. *Limitation.* Further amend chapter 192 of the Public Laws by adding after section 6-c, the following new section: 6-d. *Limitation.* The authority to furnish accommodations to the public on state forests and reservations, as provided by section 6-c, shall not be construed as authorizing the state forester to furnish sleeping accommodations to the transient public either in over-night cabins or in buildings owned by the state, provided that this limitaton shall not affect the leasing of buildings or cabins owned by the state where the accommodations are furnished by the leasee.

Further amend said bill by inserting after section 8 the following new section:

9. *Amendment.* Amend section 11 of chapter 15 of the Public Laws, as amended by section 2, chapter 130, Laws of 1927 and section 2, chapter 140, Laws of 1935, by inserting after the word "from" in the ninth line the word

"fees" and by striking out the words "state forests and forestry reservations, which except that from the sale of nursery stock from the state forest nursery, shall be credited to the forest improvement fund, except as provided by section 7-a of chapter 192 of the Public Laws" in the tenth to fourteenth lines, and inserting in place thereof the following: lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided in chapter 192 of the Public Laws, so that said section as amended shall read as follows:

11. *Application of Receipts.* Moneys received by the state treasurer, as provided in section 10, shall be available for general revenue of the state with the following exceptions: Moneys received by the fish and game department, which shall be credited to fish and game fund; fees from the motor vehicle department, which, after deducting the amount allowed by the Legislature for maintaining said department, shall be credited to the highway department for the maintenance of highways; revenues from fees, rentals, and the sale of products from lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided in chapter 192 of the Public Laws; and the fees collected by the Public Service Commission for railroads, public utilities and owners of dams for money paid out by the commission to experts and assistants not in its regular employ, which fees shall be appropriated to reimburse the state for money so paid out. The full amount allowed for the maintenance of each institution and department shall be appropriated by each Legislature for the biennial period next following, and the money derived from the sale of farm and minor industrial products of institutions shall be credited to the appropriation for the institution from which derived.

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 411, An act providing for special grill room licenses to first class hotels, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Colby of Rochester moved to substitute the words "inexpedient to legislate" for the words "ought to pass."

The question being on the motion of Mr. Colby.

(Discussion ensued)

Messrs. Colby of Rochester, Coakley of Concord, Woodbury of Manchester and Dickinson of Rochester spoke in favor of the motion.

Messrs. James of Nashua, Seymour of Carroll, and Conlon of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Coakley of Concord asked for a division.

A division being taken 75 members voted in the affirmative and 212 members voted in the negative and the motion did not prevail.

Mr. Dustin of Rochester offered the following amendment Amend line 12 page 2 of said bill by striking out the words "five dollars to twenty-five dollars" and inserting in place thereof the word "one hundred to two hundred dollars."

The question being on the amendment.

(Discussion ensued)

Mr. Dustin of Rochester spoke in favor of the amendment.

Mr. Seymour of Carroll offered the following amendment to the amendment:

Amend the amendment by striking out the words "one hundred to two hundred dollars" and substituting in place thereof "ten dollars to fifty dollars."

The question being on the amendment to the amendment.

(Discussion ensued)

Messrs. Seymour of Carroll, and Whitcher of Whitefield spoke in favor of the amendment. Mr. Callahan of Keene spoke against the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

Mr. Moran of Nashua offered the following amendment to the amendment.

Amend the amendment by striking out the words one hundred to two hundred dollars.

Mr. Dustin of Rochester accepted the amendment to his amendment.

The question being on the amendment as amended.

On a *viva voce* vote the amendment offered by Mr. Dustin of Rochester was not adopted.

Mr. Moran of Nashua asked for a division.

A division was taken but the vote was not declared.

The Speaker called for another division.

A division being taken 139 members voted in the affirmative and 157 members voted in the negative and the amendment was not adopted.

Mr. Sanborn of Wakefield offered the following amendment: Amend said bill by striking out the words "five to twenty-five dollars" and inserting in place thereof the words "one hundred to two hundred dollars."

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 75, An act prohibiting wilful or malicious interference with or harm to horses used for racing and prescribing penalties therefor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 101,

An act relating to penalties for violation of the motor vehicle laws, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Joint Resolution No. 129, Joint resolution providing for a special commission to study the question of the salaries of the justices of the supreme and superior courts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloan of Berlin.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

House Joint Resolution No. 121, Joint resolution relating to the New England Council Advertising Fund.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

Amend the joint resolution by adding at the end thereof the words, and it shall be in full settlement of claim; so that said joint resolution as amended shall read:

That the sum of fifty dollars ($50) be and the same is hereby allowed James N. Lawrence of Claremont to reimburse him for money expended by him in the repairs made to his automobile which was damaged by a truck employed by the state highway department on November 16, 1935 at Newbury; and said sum appropriated by the state shall be a charge upon the highway funds, and it shall be in full settlement of claim.

On motion of Mr. Etsler of Claremont the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

Amend the joint resolution by adding at the end thereof the words, and it shall be in full settlement of claim; so that said joint resolution as amended shall read:

That the sum of six hundred seventy-eight dollars and fifty cents ($678.50) be and hereby is allowed and paid to Lucien Worthen of New London, in the county of Merrimack in said State, for compensation, arising from injuries sustained by him while working on a snow plow for the highway department December 28, 1934 and the sum of ten dollars ($10) be allowed and paid to James B. Worthen, the sum of one hundred seventy-four dollars and fifty cents ($174.50) be allowed and paid to Dr. William Clough, and the sum of one hundred thirty-seven dollars $137.00) be allowed and paid to the New London Hospital, for medical and hospital services in connection with said injuries. The sums appropriated by the state shall be a charge upon the highway funds, and it shall be in full settlement of claim.

On motion of Mr. Lovely of New London the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

NOTICE OF RECONSIDERATION

Mr. Sanderson of Pittsfield gave notice that on tomorrow or some subsequent day he would ask reconsideration of the vote whereby the report of the Committee on Liquor Laws on House Bill No. 229, An act relative to the suspension or revocation of beverage permits was inexpedient to legislate was adopted.

RECONSIDERATION

Mr. St. Francois of Nashua moved that the vote whereby the House adopted the amendments sent down from the Honorable Senate to House Bill No. 118, An act relating to open and closed season for taking fish in certain waters be reconsidered.

On a *viva voce* vote the affirmative prevailed.

Mr. St. Francois of Nashua moved that the House nonconcur in the amendment and ask for a Committee of Conference.

COMMITTEE OF CONFERENCE

The Speaker appointed as members of such committee Messrs. Adams of Seabrook, Ramsay of Colebrook and St. Francois of Nashua.

On motion of Mr. Hart of Wolfeboro at 12:26 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

RESOLUTIONS

Mr. Callahan of Keene on behalf of the Committee on Resolutions presented the following resolution on the death of Representative David B. Plumer of Alexandria:

Whereas, Our Heavenly Father has called Home an associate and friend, David B. Plumer, Representative from Alexandria,

Be It Resolved, that we, the members of the New Hamp-

shire House of Representatives, attest our appreciation of his loyal citizenship and his record of faithful public service during the present and past sessions of the New Hampshire General Court, and that we unite in a tribute of respect to his memory, and be it further

Resolved, that we extend our deepest sympathy to his family in their bereavement, and be it further

Resolved, that this sentiment be printed in our Journal and that the Clerk of the House transmit a copy of these resolutions to the bereaved family.

WILLARD S. H. REMICK,
WARREN A. REMICK,
ANSEL N. SANBORN,
ANGELO H. FOWLER,
ELSIE LINN SMITH,
Committee on Resolutions.

THIRD READING

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

Senate Bill No. 75, An act prohibiting wilful or malicious interference with or harm to horses used for racing, and prescribing penalties therefor.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 411, An act providing for special grill room licenses to first class hotels.

Mr. Coakley of Concord moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Coakley.

Mr. Seymour of Carroll asked for a division.

A division being taken 25 members voted in the affirmative and 108 members voted in the negative and a quorum of the House not being present at 3:21 o'clock the House was declared adjourned, the bill going over into unfinished business.

FRIDAY, APRIL 23, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, April 23, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, APRIL 26, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, April 26, 1937.

Mr. Philip Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, APRIL 27, 1937.

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

INTRODUCTION BY GOVERNOR

His Excellency, Francis P. Murphy, Governor, introduced Dr. Fred Englehardt, president of New Hampshire University, to the House and Senate as follows:

More than seventy years ago, the State Legislature taking advantage of the federal land grant act established the New Hampshire College of Agriculture and Mechanic Arts, thus writing the first chapter in the history of the great institution of learning known as the University of New Hampshire.

The infant college, established in connection with Dartmouth, was housed in buildings which the state erected for that purpose on the campus at Hanover. The then president of Dartmouth, Asa Dodge Smith, was the first president of New Hampshire College and, at the outset, the faculty consisted of eight members, and the student body of ten young men.

Many and varied were the difficulties which beset the college during its twenty-five year sojourn at Hanover but, in spite of all these trials, it was found possible to raise the entrance requirements and to extend the duration of the college course to four years.

The curtain fell on the Hanover period forty-seven years ago when Benjamin Thompson, an enterprising farmer living in Durham, was called to his fathers.

The history of the growth of New Hampshire College, in the years that have meantime elapsed, is bound up with the

life of this public-spirited, Christian man who left to the state an estate valued at $800,000, including a 300-acre farm, for the purpose of establishing an institution of learning devoted particularly to the interests of agriculture.

Forty-four years ago, the General Court took the necessary steps to sever the connections between New Hampshire College and Dartmouth College, appropriated money for the construction of buildings to house it, and moved the institution to Durham. By that time, the faculty had grown to thirteen and the student body numbered twenty-seven.

A Congregational minister from Manchester, The Rev. Charles Sumner Murkland, was the first president of the college as an independent unit and, in the course of the ten years of his administration, he made many improvements, incidentally increasing the number of students to 121.

After him came William David Gibbs, a graduate of the University of Illinois, under whose guidance entrance requirements and teaching standards were raised, the courses of study revised and strengthened, and the student body increased to 315.

In 1912, there came to the presidency at Durham a most skillful leader from the Kansas State Agricultural College. With Dr. Edward Thompson Fairchild at its head, New Hampshire College made great progress in improving equipment, and in expanding facilities for study.

The student enrollment continued to grow steadily until, at the time Doctor Fairchild was obliged to resign because of ill health, it had reached a total of 666.

His successor was Ralph Dorn Hetzel, who came to New Hampshire from Oregon Agricultural College during the wartime. In the course of the administration of this energetic man, the college rapidly grew and its teaching standards were further raised.

It began to acquire a high standard in athletics as well as in education. During this period, the name was changed from "New Hampshire College of Agriculture and Mechanic

Arts" to "University of New Hampshire" and the Legislature enacted the so-called "mill-age" law which placed the finances of the university on a firm foundation.

When President Hetzel came to the university there were 530 regular students enrolled. When he resigned to accept the presidency of Pennsylvania State College, there were 1491 regular students, not to mention 317 special students.

Following President Hetzel came Dr. Edward M. Lewis, an important figure in American education, who had been president of Massachusetts Agricultural College.

Under his direction, the prestige of the University was still further developed and numerous practical services instituted for the benefit of the people of the state.

Registrations at Durham having by this time increased to 1600, the facilities of the institution were taxed and the Board of Trustees was obliged to set the upper limit of registrations at 1600.

At the time of his death, a year ago, President Lewis had brought the university to the highest point of efficiency and prestige it had to that time known.

I take great pride in recounting these few facts from the history of the university. As Governor of the State, I wish to express my admiration for the men who so ably guided its fortunes in the past, and to pay public tribute to this great institution of learning which has so abundantly justified the faith of the Legislature which founded it seventy-one years ago.

And now, following in the footprints of this line of distinguished executives, comes Dr. Fred Englehardt who left the chair of educational administration at the University of Minnesota to become, on the first day of this month, the ninth president of the University of New Hampshire.

He has had wide experience in educational work since his graduation from Yale twenty-nine years ago, and is recog-

nized throughout the country as an outstanding figure in the field of educational administration.

It is with great satisfaction and much pleasure that I present to the General Court the man who is now President of the University—experienced teacher, distinguished lecturer and writer, public spirited citizen, World War veteran, able administrator and executive,—Doctor Fred Englehardt.

ADDRESS

President Englehardt addressed the members of the House and Senate as follows:

Mr. Speaker, Ladies and Gentlemen of the Legislature:

I want to say I come humbly before you, charmed and delighted by the fine things said by the Governor about our great institution. I think it is a fine tribute to public education that you can come together here this morning and hear words from the Governor as spoken in reference to the University of New Hampshire. I come humbly before you because I feel that here we are more or less educating ourselves to a great cause.

I was thinking of that last night, when we had a distinguished poet on the campus, a Mr. Sandburg. We went to Murkland Hall to hear him and the crowd was so great we couldn't accommodate the crowd. Then we went to the gymnasium and the gymnasium filled to overflowing with the students of your University. They listened to him for about an hour and a half, and after the meeting I had the pleasure of sitting down and talking to that distinguished man, and he said "Mr. Englehardt, I have spoken all over America; I have spoken to distinguished audiences. This is the first time in a long, long period that I really met an audience that interested me. Just a short time ago," he said, "I had arisen from a sick bed with bronchial pneumonia, and," he says, "every time I speak it hurts to speak, but last night, or this evening, I spoke longer than I anticipated,

and I told these young people many things that I never dared to say in public."

I thought it was a tribute, a tribute we recognize because these young people are your sons and daughters; they are the sons and daughters of the people of this great state; and when I look over the roster I see the sons and daughters of not only those in high places but the sons and daughters of those who are in humble places, as we think of it, young people who are trying their best to make their way, and as I meet them as I have in the past month, as I sit at the table in the fraternity houses and in the sorority houses and talk to them informally, I get to know them by name.

You know I am not disturbed about the youth of today; I am not thinking of what the young people are thinking and doing; I am more disturbed in whether or not I have the ability to do for them the things that have to be done. I am more concerned about us. Are we doing for them the things they expect of us? And as I listen to them as they ask me questions, I am disturbed because I know they are thinking of these problems, they are conscious of what their responsibilities are going to be, and then I wonder if I can give them the proper answers.

This great task is one that is not shared alone by those who have been placed in charge, not only by those who become teachers in the institution, but it is a responsibility that we share, you and the teachers, and I know we all have become quite conscious of its seriousness, and the future will depend not so much on what youth thinks but in terms of the facilities and opportunities we give youth to grow and to become men and women, and not make the mistakes we made.

I told the student body a short time ago that if you are training a dog to chase its tail it doesn't make any difference whether it turns to the right or turns to the left, but when you are educating young people to the principles of democracy, when you are trying to teach young people that the

things we do make a great difference in the direction these young people go, and it is the things we do that help to determine the direction they go.

I want to thank you for this opportunity. It is one of the great privileges that come rarely to a man. I hope we are worthy of it and I hope you will come and learn to know something about the institution for which you share responsibility. We will be glad to see you at all times. And I again want to thank the Governor for the fine things he said about the University of New Hampshire, because I feel again, as I feel every day that I come in contact with the people of this state, that you are sincerely and really honestly interested in public education and in the University of New Hampshire.

DEATH ANNOUNCED

The Speaker announced the death of Representative William J. Elson of Strafford.

LEAVES OF ABSENCE

Mr. Saltmarsh of Concord was granted leave of absence for the day on account of jury duty.

Mr. Sturtevant of Concord was granted leave of absence for the day on account of death in family.

Mr. Etsler of Claremont was granted leave of absence for the day on account of attending a funeral.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 62, An act relating to the protection of the public health.

Senate Bill No. 72, An act relative to membership of city and town planning boards.

Senate Bill No. 75, An act prohibiting wilful or malicious

interference with or harm to horses used for racing, and prescribing penalties therefor.

House Bill No. 127, An act relating to permits for the registration of motor vehicles.

House Joint Resolution No. 31, Joint resolution in favor of James N. Lawrence of Claremont.

House Joint Resolution No. 66, Joint resolution in favor of Lucien Worthen.

House Joint Resolution No. 71, Joint resolution in favor of Robert E. Sloane of Berlin.

House Joint Resolution No. 112, Joint resolution in favor of Walter Taylor and others.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway, March 31, 1937, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes to whom was referred Senate Bill No. 76, An act relating to the powers of towns to make by-laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 121, An act relating to sending of presidential checklists to State Library, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out in line nine the words "a copy of" and by inserting in the same line after the word "used" the words by the ballot inspectors so that said section as amended shall read as follows:

1. Amend section 28 of chapter 10 of the Public Laws by striking out the words "on or before January first, succeeding" and inserting in place thereof "within seventy-two hours of the closing of the polls for" so that the section as amended shall read as follows:

28. *Checklists.* Supervisors of towns and corresponding officers of cities shall, within seventy-two hours of the closing of the polls for each presidential election hereafter, send to the state library the check-list used by the ballot inspectors in said election, certified by said officers.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 453, An act relative to non-resident truck owners, with the recommendation that the bill be referred to the Committee on Transportation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 125, Joint resolution in favor of the town of Canaan, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 380, An act to assure an adequate supply of proper milk, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the word "ten" in the second line and inserting in place thereof the word, seven, so that said section as amended shall read as follows:

3. *Compensation.* The members of said board shall be

paid seven dollars a day, each, for such time as they are actually engaged in the service of the state and their actual expenses.

Amend section 11 of said bill by striking out the same and inserting in place thereof the following:

11. *Disposition of Revenue.* All moneys received by the board from license fees and fines shall be paid promptly into the state treasury. All moneys received by the state treasurer under the provisions hereof shall be available for the general revenue of the state.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Licenses; Fees.* All distributors in any market designated by said board shall be licensed by said board. The annual fee for such license shall be two dollars for distributors selling more than two quarts and not more than twenty quarts daily average, four dollars for distributors selling more than twenty quarts and not more than fifty quarts daily, seven dollars and fifty cents for distributors selling more than fifty quarts and not more than one hundred quarts daily, ten dollars for distributors selling more than one hundred quarts and not more than two hundred quarts daily, and for each additional one hundred quarts or fraction thereof daily sold by a distributor there shall be an additional license fee of five dollars. In determining the foregoing fees sales made by a distributor to the public over the counter, not for consumption on the premises, shall not be included in determining the number of quarts sold daily. Such over-the-counter distributor shall pay an annual fee for such license of one dollar. The board may, upon proper evidence, decline to grant and may, after due notice and public hearing, suspend or revoke, a license. Violation by a distributor of the provisions hereof or any rule or regulation made hereunder, or conviction of violating the health laws or regulations of the state board of health, shall be sufficient cause to suspend, revoke or withhold such distributor's license. Any distributor who fails to take out a license

hereunder shall be subject to the penalties provided for in section 12 hereof.

Further amend said bill by inserting after section 35 the following new sections:

36. *Appropriation.* There is hereby appropriated the sum of twelve thousand dollars for each of the fiscal years beginning July 1, 1937, and July 1, 1938, for the purposes of this act and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

37. *Repeal.* Chapter 21 of the Laws of 1935, relative to the distribution and sale of milk, is hereby repealed.

Further amend said bill by striking out and renumbering section 36 so that the same as amended shall read as follows:

38. *Takes Effect.* This act shall take effect July 1, 1937.

The report was accepted and the amendments adopted.

Mr. Callahan of Keene offered the following amendment:

Amend said bill by adding thereto a new section as follows:

Section 38. That upon the enactment of this bill into law, the state, under the direction of the Commissioner of Agriculture, shall repay all sums received as fines and costs, or as license or permit fees, paid under the supervision of the former Milk Control Bill, held invalid by the Supreme Court. Provided, however, that all such requests for repayment must be filed in three months after the enactment of this law and must be verified on oath.

Renumber section 38 to read section 39, so that said section as amended shall read as follows:

39. *Takes Effect.* This act shall take effect July 1, 1937.

The question being on the amendment.

(Discussion ensued)

Messrs. Callahan of Keene, and McDonough of Dover spoke in favor of the amendment. Mrs. Brungot of Berlin and Messrs. Dickinson of Danville, Pillsbury of Derry,

Tenny of Chester, and Jones of Lebanon spoke against the amendment.

Messrs. Seavey of Rochester, and Sanderson of Pittsfield also spoke.

Mr. Cummings of Peterborough moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

Mr. Sanderson of Pittsfield moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Sanderson.

(Discussion ensued)

Mr. Sanderson of Pittsfield, and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. McDonough of Dover, and Callahan of Keene spoke against the motion.

Mr. Baker of Concord asked for a division.

A division being taken 201 members voted in the affirmative and 92 members voted in the negative and the motion prevailed.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS, 253

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Shaw, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Hepworth, Pillsbury, Fecteau, Scammon, Beede, Syphers, Emerson, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Mudge, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Kittredge, Gray, Pray, Cogan, Badger, Gile, Mars-

ton, Manor, Peever, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Caswell, Blanchard, Caldwell, Whitehouse, Longley, Jenkins, Colby, Cartier, Dickinson of Rochester, Seavey, Varney, Habel, Labonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Hunt, Edgerly, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Hoyt of Laconia, Dickson of Laconia, Newell, Sanders, Martin, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Huntress, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Coakley, Stearns of Concord, Kemp, Baker, Boutwell, Mansur, Butterfield of Concord, Nash, Tilton of Concord, Brunel of Concord, Matson, Wiley, Ahern, Donovan, Nutter of Epsom, Dempsey, Douphinett, Rowe, Fowler, Mitchell, Ball, Merrill of Loudon, Lovely, Carr, Dupont, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Clark of Manchester, Corey, Booth, Connelly, Arthur J., Ward 6, Manchester, Fox, Jordan of Manchester, Farrell, Gagnon, Hanley, Chevrette, Constant, Driscoll, Gallagher, Gaudreault, Van Vliet, Kelley of Ward 11, Manchester, Letendre, Boisvert, Maker, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Bernard, Vigneault, Marquis, Lougee, Maddox, Cormier, Molloy, Noel, Bouthillier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Knowlton of Keene, Ol-

son, Hilton, Spaulding, Duffy, Hemenway, Tolman, Rice, King, Relihan, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Daly, Gaffney, Howe, Putnam of Claremont, Quimby, Thomas, Johnson of Cornish, Cummings of Newport, Kelly of Newport, Kempton, Osborne.

GRAFTON COUNTY: Bailey of Bath, Goodwin, Remick of Bristol, Pulsifer, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, French, Jones of Lebanon, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Barden, Mason, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Felton. Dickson of Colebrook, Ramsey of Colebrook, Parkhurst, Jordan of Erroll, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Rix, Fuller, Brown of Stratford, Whitcher.

NAYS, 93

ROCKINGHAM COUNTY: Dagan, McReel, Tozier, Knowles, Dondero, Foote, Yeaton, Rose.

STRAFFORD COUNTY: Henderson of Dover, McCooey, Chabot, Durkin, Garland, Blaisdell, McDonough, Durnin, Richards, Dustin.

BELKNAP COUNTY: Little, White, Smith of New Hampton.

CARROLL COUNTY: Mudgett, Quint.

MERRIMACK COUNTY: Brown of Bow, Maxham, Carignan, Lemire, Johnson of Hooksett.

HILLSBOROUGH COUNTY: Gage, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Sullivan of Ward 4, Manchester, Betley, O'Brien, Gorham, Bolton, Bouthiette, Donnelly, Farland, Poulin, Walsh, Lareau, Haggerty, Aubin, Caron, Desruisseaux, Soucy, Lariviere, Lesmerises, St.

Germain, Foster, Drumm, Sullivan of Nashua, Berube, Moran, St. Francois, Ledoux, Wilcox, Thompson of New Ipswich.

CHESHIRE COUNTY: Callahan, Graves, Jones of Keene, Gates, Roche, Woodbury of Sullivan, Dubois of Swanzey, Granger, Barrett of Troy, Britton, Horner.

SULLIVAN COUNTY: Hosking, Sheehan, Brigham, Cram.

GRAFTON COUNTY: Davis, Hammond, Graham, Walbridge, Remick of Groton, Perley, Dubuque, Hoyt of Lebanon, Sliney, Madden, Collins.

COOS COUNTY: Collette, Roy, Montminy, Palmer of Berlin, Dutil, Judd.

And the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 279, An act relating to "on-sale" permits, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 279, An act relating to "on-sale" permits, reported the same with the recommendation that the bill ought to pass.

MILES H. DUSTIN,
HARRY G. TITUS,
A Minority of the Committee.

Mr. Dustin of Rochester moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Dustin.

(Discussion ensued)

Messrs. Dustin of Rochester, Hoyt of Sandwich and Danforth of Acworth spoke in favor of the motion. Messrs.

Molloy of Nashua, Coakley of Concord and Callahan of Keene spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Dustin of Rochester asked for a division.

A division being taken 58 members voted in the affirmative and 260 members voted in the negative and the motion did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Hart of Wolfeboro at 12:25 o'clock the House took a recess till 1:50 o'clock.

(After recess)

The House was called to order.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 191, An act relating to the weights of motor vehicles.

House Bill No. 382, An act relative to the laying out of highways.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 78, An act in amendment of Chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board.

SENATE BILL READ AND REFERRED

Senate Bill No. 78, An act in amendment of chapter 121, laws of 1935, establishing the New Hampshire Water Resources Board.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Hart of Wolfeboro at 2:00 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway, March 31, 1937.

House Bill No. 121, An act relating to sending of presidential check-list to State Library.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

LETTER OF APPRECIATION

The following letter was received:

Wilmot Flat, N. H.
April 19, 1937

House of Representatives,
Concord, N. H.

I wish to express my deep appreciation of the beautiful form of resolution which you have sent. I intend to have

it framed and it is something which both I, and my son, shall be very proud.

(Signed)

MRS. WALLACE THOMPSON.

On motion of Mr. Bell of Plymouth at 3:05 o'clock the House adjourned.

WEDNESDAY, APRIL 28, 1937.

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Remick of Groton was granted leave of absence for the day on account of official business.

Mr. Hayes of Dover was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Greer of Manchester was granted leave of absence for balance of the week on account of illness in family.

Messrs. Varney of Rochester and Foster of Milford were granted leave of absence for balance of week on account of important business.

PETITION PRESENTED AND REFERRED

By Mr. Judd of Pittsburgh petition of 117 citizens protesting against the closing of Back lake in the town of Pittsburgh and restricting same for fly fishing only.

Presented and referred to the Committee on Fisheries and Game.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 123, An act re-

lating to licenses for bonded warehouses, reported the same under Joint Rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the last sentence and inserting in place thereof the following:

Any public warehouseman shall be required to obtain an annual license from the secretary of state. The fee for such license shall be twenty-five dollars.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *License Required.* Amend chapter 169 of the Public Laws by inserting after section 1, as hereinbefore amended, the following new section: 1-a. *Penalty.* Whoever violates any provision of section 1 of this chapter shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

On motion of Mr. Barnard of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Seavey of Rochester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Doloff and others, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting in place thereof the following:

That the sum of twenty-four hundred eighty dollars ($2,480.00) be and the same is hereby appropriated to Plymouth Guaranty Savings Bank, in trust nevertheless for the purpose of investing and reinvesting the same and paying weekly from said principal sum and the interest accumulated thereon six dollars ($6.00) to Minnie Dolloff

and three dollars ($3.00) to Donna Dolloff, her daughter, both of Thornton; the appropration hereby granted to be a settlement in full for the death of Edwin Dolloff of the town of Thornton who died as a result of an accident while building a state aid road in the town of Waterville. An additional sum of ninety-six dollars ($96.00) is likewise appropriated to be paid as follows: Plymouth Memorial Hospital, forty-six dollars ($46); Dr. R. P. Middleton of Plymouth, fifty dollars ($50); said bills having been contracted in the fatal illness of said Edwin Dolloff. Said sums herein appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Palmer of Plaistow for the Committee on State House and State House Yard, to whom was referred House Joint Resolution No. 73, Joint resolution for the installation of automatic sprinkler fire protection at the State House, reported the same in a new draft and with a new caption, with the recommendation that the joint resolution in its new draft and with its new caption ought to pass.

The report was accepted, the joint resolution in its new draft, read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, and the bill read a first and second time.

On motion of Mr. Goodwin of Bethlehem the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 455, An act authorizing the Orford School District, in the town of Orford to issue notes or bonds for the remodeling of a school building, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School District held in the town of Weare on April 10, 1937, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

The report was accepted, and the bill read a first and second time.

On motion of Mr. McReel of Exeter the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Seavey of Rochester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Remick of Bristol the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with, and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 161 (in second new draft), An act creating a retirement system, reported the same with the recommendation that the bill be referred to the Supreme Court for an opinion as to its constitutionality.

The report was accepted.

Mr. Blaisdell of Dover offered the following resolution:

Resolved, that the Speaker of the House be and hereby is directed to obtain from the Honorable Judges of the Supreme Court their opinions upon the following question:

Do the provisions of House Bill No. 161 (in second new draft), a copy of which is annexed hereto and made a part of this resolution, violate any of the provisions of our State and Federal constitutions?

The question being on the resolution.

(Discussion ensued)

Mr. Wiggin of Tamworth spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Etsler of Claremont, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 458, An act to repeal charters of certain corporations with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, and the bill read a first and second time.

On motion of Mr. Etsler of Claremont, the rules were suspended, and the printing of the bill dispensed with.

The bill was then referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Etsler of Claremont the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Judiciary.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 424, An act relating to primary and election laws.

The message further announced that the Senate had voted

to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 57, An act relating to temporary sales and solicitation for religious and benevolent purposes.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills to the following House Joint Resolution, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund.

Amend said resolution by striking out the word "New England" in the thirty-third line and inserting in place thereof the word, New Hampshire; further amend said resolution by striking out the last sentence thereof and inserting in place thereof the following:

The governor is hereby authorized to draw his warrant for sums not exceeding said sum of seventeen thousand eight hundred dollars for each of said years out of any money in the treasury not otherwise appropriated.

On motion of Mr. Sanderson of Pittsfield the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 118, An act relating to open and closed season for taking fish in certain waters, and the President appointed as members on the part of the Senate Senators Cole and Mahoney.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 29 (in new draft), An act relating to Building and Loan Associations.

SENATE BILL READ AND REFERRED

Senate Bill No. 29 (in new draft), An act relating to the Building and Loan Associations.

The bill was read a first and second time and referred to the Committee on Banks.

UNFINISHED BUSINESS

Mr. James of Nashua called for the unfinished business, House Bill No. 411, An act providing for special grill room licenses to first-class hotels.

The question being

Shall the bill be indefinitely postponed?

Mr. Coakley of Concord by unanimous consent withdrew his motion of indefinite postponement.

The bill was then read a third time and passed and sent to the Senate for concurrence.

SPECIAL PRIVILEGE

Mr. James of Nashua rose to a question of special privilege and offered an apology for words spoken in the heat of the recent debate.

Mr. Coakley of Concord accepted the apology in the spirit in which it was offered.

RESOLUTION

Mr. Dickinson of Rochester offered the following resolution:

Whereas, This House has learned with regret of the passing of our fellow member from Strafford, William J. Elson,

Therefore Be it Resolved, That the Speaker appoint a committee to draw up suitable resolutions.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members of such committee Messrs. Charles W. Varney, Jr., of Rochester, Spencer

Dickinson of Rochester, Ralph F. Seavey of Rochester, George W. Garland of Dover, Ernest L. Lucas of Dover, and Mrs. Bertha Hayes Atwood of Barrington.

On motion of Mr. Cummings of Peterborough the rules were suspended and business in order at 2:00 o'clock was made in order at the present time.

Mr. McDonough of Dover desired to be recorded as voting against the motion.

THIRD READING

House Joint Resolution No. 113, Joint resolution in favor of Minnie Doloff and others.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Osborne of Sunapee at 11:03 o'clock the House adjourned to meet on Thursday at 10:00 o'clock A. M.

THURSDAY, APRIL 29, 1937

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Dustin of Rochester and Butterfield of Concord were granted leaves of absence for the day on account of important business.

Messrs. Chase of Manchester and Hoyt of Laconia were granted leaves of absence for the day on account of illness.

Mr. Marquis of Nashua was granted leave of absence for Thursday and Friday on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed

Bills, reported that the committee had examined and found correctly engrossed the following joint resolution:

House Joint Resolution No. 5, Joint resolution in favor of the town of Errol.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby appropriated to be used and expended under the direction of the public service commission for the purpose of derdging a channel at the southerly end of Alton Bay, so called, in Lake Winnipesaukee, at the mouth of Merrymeeting river. The sum hereby appropriated shall be a charge upon the flood relief funds provided by chapter 1 of the Special Session Laws of 1936.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution

No. 122, Joint resolution in favor of Herbert Downing and others, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the words and figures "nineteen dollars and twenty cents ($19.20)" in lines 1 and 2 and inserting in place thereof the words and figures, thirty-eight dollars and forty cents ($38.40), so that said resolution as amended shall read as follows:

That the sum of thirty-eight dollars and forty cents ($38.40) be and hereby is appropriated to compensate Herbert Downing of the town of Thornton for accidental injuries suffered while building a state aid road in the town of Waterville. An additional sum of fourteen dollars ($14) is likwise appropriated to be paid to Dr. H. A. Cheney of Campton, said bill having been contracted by said Herbert Downing in said accident. Said sums hereinbefore appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Emerson of Hampstead for the Committee on Appropriations, to whom was referred House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel bridges, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the battle of Gettysburg, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the words "provided other states of the union each contribute to said fund" in

lines 5 and 6 so that said resolution as amended shall read as follows:

That the sum of five thousand dollars ($5,000) be and hereby is appropriated to be paid during the fiscal year ending July, 1938, to the state treasurer of the Commonwealth of Pennsylvania, to become a part of the fund known as the Gettysburg Peace Memorial Fund. The Governor is authorized to draw his warrant for said sum from the funds in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 16, An act prohibiting hunting of deer on the islands of Lake Winnipesaukee, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the same and substituting in place thereof the following:

An act relating to hunting of deer.

Amend section 1 by striking out in line one the word "amended" and substituting therefor the word, inserted; further amend by striking out in lines 7 and 8 the words, "on the islands of Lake Winnipesaukee no deer shall be hunted or taken at any time" and substituting in place thereof the words, that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds, so that said section as amended shall read as follows:

1. Amend section 2 of chapter 198 of the Public Laws, as inserted by section 2, chapter 124 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

2. *Taking, Time.* Wild deer outside of private game preserves, may be hunted and taken after six a. m. and before five p. m. in the Counties of Coos and Grafton from November first to December first, and in all other counties

in the state from December first to December sixteenth, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 234, An act relative to taking suckers and black bass from Lake Sunapee, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the same and inserting in place thereof the following: An act relative to the taking of suckers.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Suckers.* Amend chapter 201 of the Public Laws, as inserted by section 5, chapter 124, Laws of 1935, by inserting after section 20 a new section as follows: 20-a. *Taking Authorized.* Suckers may be taken by the use of hand dip nets not over eighteen inches in diameter, or drop nets not over forty-eight inches in diameter, or by spear, from March first to June first and suckers may be taken at any time for bait with a trap made of wire or slats of a length not to exceed fifty inches and of a width not to exceed thirty inches, with an aperture for the entrance of fish not to be smaller than three and one-half inches. The provisions of section 20 shall not apply to persons taking suckers as provided by this section.

2. Amend section 18 of said chapter 201 by inserting after the word "by" in line five the word, brook, so that said section as amended shall read as follows:

18. *Nets; Traps.* A dip net held in hand may be used to assist in the taking of fish attached to a hook. A circular drop net, not more than forty-eight inches in diameter, may be used for taking minnows for bait, from waters not in-

habited by brook trout. Minnow traps may be set for taking minnows for bait, in waters inhabited by trout, provided that no such trap shall exceed eighteen inches in length, and that the aperture therein for the entrance of fish shall not exceed one inch in diameter.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 82, An act relating to business corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 78 (In new draft), An act relating to alimony, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the whole of said section and inserting in place thereof the following:

3. *Modification of Existing Orders; Takes Effect.* Any order for the payment of alimony or separate maintenance now in force may be changed or modified to comply with the provisions of this act upon petition of either party, and this act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 460, An act relating to the taxation of aircraft, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 461, An act to name the highway from Winchester to Rindge, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted and the bill read a first and second time.

On motion of Mr. Firmin of Fitzwilliam, the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Public Improvements.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill, No. 254 (in new draft), An act creating a department of state police, reported the same in a second new draft with the recommendation that the bill in its second new draft be recommitted to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 354, An

act relating to medical referees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 25, An act relating to the taking of deer in Carroll county, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 186, An act relative to the powers of the director of the fish and game department, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 235, An act relating to trolling, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 368, An act relating to the establishment of a branch office of the motor vehicle commissioner at Dover, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk an-

nounced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate bridge authority.

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

House Bill No. 401, An act establishing commissioner districts in the County of Coos.

House Bill No. 430, An act relating to institutions under the supervision of the Bank Commissioner.

House Bill No. 191 (in second new draft), An act relating to the weights of motor vehicles.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 105, An act relating to posting of piece rate prices.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 192, An act relating to wages.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1 *Payment of Wages.* Amend the subdivision in chapter 176 of the Public Laws relating to the payment of wages by inserting after section 27 the following new section: 27-a. *Rights of Employees.* Any employer of labor, as defined in section 25, as amended by chapter 69, Laws of 1935, before any new employee begins work shall in-

form such prospective employee the amount of wages he is to receive, if employed, and any such employer before the wages of any person then employed shall be changed shall inform such employee the amount of wages he is to receive by such change. If wages are to be paid by the hour, piece or percentage basis, such employer shall inform such employee of the rate to be paid, provided that in the case of wage incentive plans such employee shall be informed of the approximate minimum rates and the methods upon which supplementary wages are to be based.

2. This act shall take effect upon its passage.

On motion of Mr. Smith of Haverhill the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 305, An act relating to suppression of insects pests and plant diseases.

Amend section 1 of said bill by striking out all of said section and inserting in place thereof the following:

1. *Suppression of Insect Pests and Plant Diseases.* Amend chapter 190 of the Public Laws as amended by chapter 52 of the Laws of 1931 by striking out said chapter and inserting in place thereof the following:

SUPPRESSION OF INSECT PESTS AND PLANT DISEASES

1. *Deputy Commissioner.* The commissioner of agriculture shall appoint a deputy commissioner who shall be fully qualified by scientific training and experience and who, under the direction of the commissioner, shall be in charge of the suppression of pests as provided for in this act. The salary of said deputy commissioner shall not exceed sixteen hundred dollars a year and said deputy shall be allowed his actual expenses when on official duties elsewhere than in the office of the department. Said deputy, with the approval

of the commissioner, may appoint such agents or assistants as he may find necessary for the purposes of this act.

2. *Suppression of Pests.* The commissioner and the deputy commissioner may undertake the suppression or control of any insect pest or plant disease which, in their judgment, seriously threatens the state or any part thereof and for that purpose may establish rules and regulations and may employ such measures as, in their judgment, may be reasonable and proper. For the purposes of this act it shall be lawful for the commissioner, the deputy commissioner or any agent or assistant, appointed, under the provisions hereof, to enter upon any lands in this state.

3. *Penalty.* Any person who resists or obstructs any agent of the state while lawfully engaged in the execution of this act, or who violates any rule or regulation made by the commissioner and deputy commissioner under the provisions hereof, or who wilfully brings into the state, disseminates, or propagates any destructive insect pest or plant disease, shall be fined not more than one hundred dollars.

4. *Suppression by Cities or Towns.* For the purposes of this act the commissioner and the deputy commissioner may require any city or town to take such measures as, in their judgment, are reasonable and proper, up to a cost not exceeding, in any one year, one-tenth of one per cent of the tax valuation of said city or town for the preceding year. If a city or town shall fail to execute the prescribed measures the commissioner and deputy commissioner may cause the work to be done and the expense thereof, not exceeding said one-tenth of one per cent of the tax valuation aforesaid, may be recovered of said city or town in an action by the state.

5. *Forfeiture.* In addition thereto, any city or town failing to take such measures as the commissioner and the deputy commissioner may require, as hereinbefore provided, shall forfeit the sum of one hundred dollars, to be collected

by an information brought by the attorney-general in the county in which said city or town is located.

6. *Suppression by Property Owners.* For the purposes of this act the commissioner and the deputy commissioner may require the owner of any parcel of land which is infested with any destructive insect pest or plant disease to take such measures as, in their judgment, are reasonable and proper, up to a cost not exceeding, in any one year, one-half of one per cent of the assessed valuation of said land, including buildings and improvements thereon, as fixed by the last preceding tax appraisal. If the owner of such lands shall fail to execute the prescribed measures the commissioner and the deputy commissioner may cause the work to be done, either directly or through the city or town in which the land is situated, and the expense thereof, not exceeding one-half of one per cent of the assessed valuation of said land as hereinbefore specified, shall be assessed upon said lands and improvements.

7. *Assessments.* The amounts to be assessed upon private property as hereinbefore provided shall be assessed and collected like ordinary taxes at the next general tax assessment following their expenditure, and shall be a lien on said land, including buildings and improvements thereon in the same manner and with the same effect as is provided in the case of other taxes, and shall be subject to the provisions relative to abatement and appeal.

Mr. Seavey of Rochester moved that the reading of the amendment be dispensed with.

Question being on the motion of Mr. Seavey.

(Discussion ensued)

Mr. Seavey spoke in favor of the motion, and Mr. Callahan of Keene spoke against the motion.

Mr. Seavey withdrew his motion.

On motion of Mr. Callahan of Keene the bill with pend-

ing amendment was laid upon the table, meanwhile the amendment to be printed in the Journal.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 191, An act relating to the weight of motor vehicles.

Amend section 1 of said bill by striking out the word and figure "and 23" in the first and second lines; by striking out the word "with" in the tenth line and inserting in place thereof the word, having; by striking out the words "or any" in the same tenth line and inserting in place thereof the words, and no; and by adding at the end of said section the words and figures, which is an amendment of section 5 of chapter 91, section 12 of chapter 54, and section 15 of chapter 47, of the Public Laws.

On motion of Mr. Avery of Goffstown the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 83, An act relating to deposits by State Treasurer.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Senate Bill No. 86, An act relating to daylight saving time.

Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages.

SENATE BILLS READ AND REFERRED

Senate Bill No. 83, An act relating to deposits in the state treasury.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 86, An act relating to day-light saving time.

The bill was read a first and second time.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Mr. Callahan of Keene spoke in favor of the motion. Messrs Cummings of Peterborough, Ahern of Concord and Perley of Lebanon spoke against the motion.

Mr. Callahan withdrew his motion.

The bill was then referred to the Committee on Revision of the Statutes.

Senate Bill No. 88, An act relative to employment of minors in the handling of liquor and beverages.

The bill was read a first and second time and referred to the Committee on Liquor Laws.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 131, An act relative to brakes on trailers.

Amend said bill by striking out all of section 1 before the word "brakes" in the third line and inserting in place thereof the following:

1. *Equipment for Motor Vehicle Trailers.* Amend chapter 103 of the Public Laws by inserting after section 4 the following new section: 4-a.

On motion of Mr. Graham of Canaan, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 401, An act establishing commissioner districts in the County of Coos.

Amend section 1 of said bill by striking out the word "and" in the second line; by inserting after the figure "1931" in the third line the words and figures, and chapter 43 of the Laws of 1937; by striking out the figure "18" in the third line and inserting in place thereof the figure 21; and by striking out the figures "19", "20", and "21", in the fourth, tenth and twelfth lines and inserting in place thereof, respectively, the figures, 22, 23 and 24.

On motion of Mr. Goodwin of Bethlehem, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 424, An act relating to primary and election laws.

Amend section 8 of said bill by striking out the word "will" in the fourth line and inserting in place thereof the word, shall.

Amend section 10 of said bill by striking out the words "the town" in the fourth and fifteenth lines and inserting in place thereof the word, said.

Amend section 18 by striking out the word "filed" in the sixteenth line and inserting in place thereof the word, filled.

On motion of Mr. Hoyt of Sandwich the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

RECALLED FROM THE GOVERNOR

On motion of Mr. Barnard of Manchester Senate Bill No.

56, An act relative of the placing out of infants was recalled from His Excellency, the Governor.

On motion of Mr. Barnard of Manchester the vote whereby Senate Bill No. 56, An act relative to the placing out of infants was passed was rescinded.

On motion of Mr. Barnard of Manchester Senate Bill No. 56, An act relative to the placing out of infants, was put back upon its second reading and recommitted to the Committee on the Revision of the Statutes.

On motion of Mr. Cummings of Peterborough business in order at 2:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Cummings of Peterborough the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 234, An act relative to taking of suckers.

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel Bridges.

House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Joint Resolution No. 87, Joint resolution appropriating funds for the purpose of dredging a channel at Alton Bay.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

House Joint Resolution No. 128, Joint resolution relating

to the seventy-fifth anniversary of the battle of Gettysburg.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 82, An act relating to business corporations.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

House Bill No. 78 (in new draft), An act relating to alimony.

Read a third time.

The question being:

Shall the bill pass?

Mrs. Brungot of Berlin moved that the bill be laid upon the table and on this motion asked for a division.

A division being taken 38 members voted in the affirmative and 176 members voted in the negative and the motion did not prevail.

On a *viva voce* vote the bill passed.

Mrs. Brungot of Berlin demanded the yeas and nays.

Mr. Cummings of Peterborough moved to reconsider the vote hereby the bill passed but subsequently withdrew his motion.

Mrs. Brungot withdrew her demand for the yeas and nays.

The bill was then sent to the Senate for concurrence.

On motion of Mrs. Brungot of Berlin at 11:39 o'clock the House adjourned.

FRIDAY, APRIL 30, 1937

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Nash of Concord was granted leave of absence for the day on account of important business.

Mrs. Brungot of Berlin was granted leave of absence for the day on account of important business.

Mr. Winkley of Ossipee was granted leave of absence for the day on account of illness in family.

RESOLUTION

On motion of Miss Myler of Berlin.

Resolved, that when the House adjourns today it be to meet on Monday evening at 6:30 o'clock.

COMMITTEE REPORTS

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 80, An act relative to examinations for the practice of embalming, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 100, An act relating to an appeal from decisions of motor vehicle commissioner, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 175, An act relating to reimbursement for loss of taxes on land used for public institutions, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 125, An

act relating to appraisal of taxable property (in a new draft), reported the same with the recommendation that the bill in its new draft be recommitted to the committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 462, An act relating to bridges on trunk lines and state aided highways, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Ahern of Concord for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Ahern of Concord for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 135, Joint resolution in favor of Alfred J. Puccetti, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

TAKEN FROM THE TABLE

House Bill No. 305, An act relating to suppression of insect pests and plant diseases was taken from the table.

The question being on the amendment sent down from the Honorable Senate.

On motion of Mr. Tenney of Chester the House concurred in the amendment.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Conlon of Concord, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 52, An act establishing a Board of Registration of Hairdressers and regulating the occupation of hairdressing, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

On motion of Mr. Conlon of Concord the clerk was instructed to procure 500 extra copies of the above bill.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye.

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village district in the town of Hampton.

House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School district held in the town of Weare on April 10, 1937.

House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Authority.* The town of Farmington is hereby authorized to issue its serial notes or bonds to an amount not exceeding twenty-two thousand dollars for the purpose of refunding an equal amount of floating debt represented by outstanding notes. Said serial notes or bonds shall be signed by the selectmen, or a majority thereof, and countersigned by the treasurer.

2. *Terms.* Said issue of said notes or bonds shall be due and payable at such times not more than twenty years from the date of issue and in such amounts and in such manner as the board of selectmen and treasurer of said town shall determine at a rate of interest to be fixed by said board.

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Farmington on March 9. 1937, so far as they relate to the appropriations for the purposes set forth in Section 1 and the issuance of notes and bonds in pursuance thereof are hereby legalized, ratified and confirmed and made as effective as if such proceedings were taken after the passage of this act.

4. *Application of General Law.* Except as otherwise provided in this act the provisions of chapter 59 of the Public Laws shall apply to the serial notes or bonds hereby authorized.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Maxham of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 444, An act relating to the operation of a recreational field by the city of Berlin.

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. Amend section 6 of "An act to authorize the city of Berlin to acquire a piece of land in the town of Milan, and to operate a recreation field thereon," approved February 12, 1937, by striking out said section and inserting in place thereof the following:

6. Said recreation field and structures thereon or therein, to be operated for the benefit of the public and all structures and improvements connected therewith shall be exempt from taxation; but the city of Berlin shall make payments on or before the first day of November of each year to the said town of Milan of a sum equal to the taxes which would have been assessed against the said field if the same had been included in the list of taxable property for such year at the assessed valuation of the same as determined for the tax year 1936; said field to be policed by the officials of said Milan when requested and paid by the city of Berlin. All revenue received on account of said field or structures shall be paid to the city treasurer at least once a month, who shall hold the same in a separate fund, designated as the "Recreational Fund," to be used solely for the erection and maintenance of all structures on said field.

The Speaker declared the bill laid upon the table in order that the amendment might be printed in the Journal.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 90, An act relative to exceptions to the laws regarding one day rest in seven.

Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

Senate Bill No 97, An act relative to an authorized bond issue by the town of Wolfeboro.

SENATE BILLS READ AND REFERRED

Senate Bill No. 85, An act in relation to the operation of certain boats.

The bill was read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 90, An act relative to exceptions to the laws regarding one day rest in seven.

The bill was read a first and second time and referred to the Committee on Labor.

Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 97, An act relative to an authorized bond issue by the town of Wolfeboro.

The bill was read a first and second time.

On motion of Mr. Hart of Wolfeboro the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTIONS

On motion of Mr. Barnard of Manchester,

Resolved, that the House thank the Honorable Senate for its recognition of the House as the upper branch of this legislature, since the Senate has voted to concur in amendments sent down by the House of Representatives.

THIRD READING

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow the third reading of Senate Bill No. 80, An act relative to examination for the practice of embalming by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

RECONSIDERATION

Agreeably to previous notice Mr. Sanderson of Pittsfield moved to reconsider the vote whereby the House adopted the report of the Committee on Liquor Laws that it was inexpedient to legislate on House Bill No. 229, An act relative to the suspension of revocation of beverage permits.

On a *viva voce* vote the motion prevailed.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 39 members voted in the affirmative and 22 members voted in the negative and a quorum of the House not being present at 10:38 o'clock the House was declared adjourned, the bill going over into unfinished business.

MONDAY, MAY 3, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, May 3, 1937.

Mr. Philip Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, MAY 4, 1937

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. McReel of Exeter was granted leave of absence for the day on account of important business.

Mr. Estabrook of Alstead was granted leave of absence for the day on account of jury duty.

Messrs. Farrell of Manchester and Etsler of Claremont were granted leaves of absence for the day on account of attending a funeral.

Mr. Hutchins of Charlestown was granted leave of absence for Wednesday, May 5, on account of important business.

Mr. Granger of Swanzey was granted leave of absence for Wednesday and Thursday on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 57, An act relating to temporary sales and solicitations for religious and benevolent purposes.

Senate Bill No. 76, An act relating to the powers of towns to make by-laws.

House Bill No. 103, An act relating to an appeal from suspension or revocation of license to operate motor vehicles.

House Bill No. 131, An act relative to brakes on trailers.

House Bill No. 191, An act relating to the weights of motor vehicles.

House Bill No. 274, An act relating to the terms of office of the members of the Maine-New Hampshire Interstate Bridge Authority.

House Bill No. 401, An act establishing commissioner districts in the county of Coos.

House Bill No. 424, An act relating to primary and election laws.

House Bill No. 456, An act legalizing the proceedings of the meeting of the Weare School District held in the town of Weare on April 10, 1937.

House Joint Resolution No. 121, Joint resolution relating to the New England Council advertising fund.

House Joint Resolution No. 133, Joint resolution in favor of Mrs. David Plumer.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 82, An act relating to business corporations, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Tilton of Ward 4, Laconia, the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 370, An act relating to the Municipal Budget Act, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

Mr. McDonough of Dover moved that the words "ought to pass" be substituted for the words "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the motion. Messrs, Perley of Lebanon, and Barnard of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. McDonough of Dover demanded the yeas and nays, and the roll was called with the following result:

YEAS, 46

ROCKINGHAM COUNTY: Dagan, Palmer of Kensington, Barrett of Portsmouth, Kittredge.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Blaisdell, McDonough.

BELKNAP COUNTY: Martin.

CARROLL COUNTY: Huntress.

MERRIMACK COUNTY: Coakley, Kemp, Ahern, Lemire, Sanderson.

HILLSBOROUGH COUNTY: Charois, Dwyer, Talty, Sullivan of Ward 4, Manchester, Connolly, Paul J. of Ward 6, Manchester, Sullivan of Ward 6, Manchester, Hanley, Horan, Bolton, Donnelly, Farland, Walsh, Caron, Desruisseaux, Bernard, Vigneault, Marquis, St. Francois, Noel.

CHESHIRE COUNTY: Callahan, Duffy, Roche.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Madden.

COOS COUNTY: Barden, Collette, Mason, Palmer of Berlin, Dugas, Seymour, Chandler of Gorham.

NAYS, 315

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Hepworth, Pillsbury, Fecteau, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Rousseau, Turcotte of Newmarket, Estabrook of Newton, Knowles, Mudge, Fernald, Palmer of Plaistow, Dondero, Foote, Gray, Pray, Yeaton, Canty, Cogan, Badger, Gile, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, McCooey, Caswell, Garland, Lucas, Durnin, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Colby, Dus-

tin, Cartier, Bergeron, Turcotte of Rochester, Seavey, Varney, Nutter of Rollinsford, Lagueux, Habel, Boucher, LaBonte, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Hunt, Edgerly, Tarlson, Guay, Normandin, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Churchill, Day, Downs, Mudgett, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Rivet, Stearns of Concord, Baker, Boutwell, Mansur, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Maxham, Wiley, Donovan, Nutter of Epsom, Carignan, Dempsey, Douphinett, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Merrill of Loudon, Lovely, Carr, Perkins of Pittsfield, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Casey, Corey, Clancy, Healy, Lacrois, Booth, Connelly, A. J., Ward 6, Manchester, Jordan of Manchester, Fitzgerald, Gagnon, Gorham, Bouthiette, Chevrette, Constant, Driscoll, Hayes of Manchester, Lareau, Gallagher, Gaudreault, Haggerty, Kelley of Ward 11, Manchester, Aubin, Soucy, Boisvert, Lariviere, Lesmerises, St. German, Maker. Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Drumm, Berube, Moran, Ledoux, Lougee, Maddox, Cormier, Molloy, Wilcox, Bouthillier, Poney, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Jones of Keene, Gates, Hilton, Hemenway, Tolman, Rice, Woodbury of Sullivan, Dubois of Swanzey, Granger, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Daly, Gaffney, Hosking, Howe, Putnam of Claremont, Quimby, Sheehan, Johnson of Cornish, Brigham, Fairbanks, Kelly of Newport, Kempton, Rogers, Osborne, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Moffett, Roy, Henderson of Berlin, Montminy, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dutil, Myler, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

And the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 81,

An act relating to taking of deer in Carroll county, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Fisheries and Game, to whom was referred Senate Bill No. 81, An act relating to taking of deer in Carroll county, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

EDITH D. BANFIELD,
BERNADETTE E. CHAROIS,
MERTON M. WILLIS,
F. W. HOYT,
A Minority of the Committee.

Mrs. Banfield of Moultonborough moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Banfield of Moultonborough, and Mr. Hoyt of Sandwich spoke in favor of the motion, Messrs Adams of Seabrook, Carpenter of Wolfeboro, Dempsey of Franklin, and Colby of Rochester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the Committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 37, An act to license real estate brokers and salesmen, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 37, An act

to license real estate brokers and salesmen, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

DONALD SALTMARSH,
HILDA BRUNGOT,
FRED A. JONES,
MABEL T. COOPER,
A Minority of the Committee.

Mr. Saltmarsh of Concord moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Saltmarsh of Concord, Wiggin of Tamworth, and Hart of Wolfeboro and Mrs. Cooper of Nashua spoke in favor of the motion. Messrs. Normandin of Laconia, Perley of Lebanon, and Pillsbury of Derry spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution, reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Cummings of Peterborough at 11:55 o'clock the House took a recess for 1 hour.

(After recess)

The House was called to order.

TAKEN FROM THE TABLE

House Bill No. 444, An act relating to operation of a recreational field by the city of Berlin, having been laid upon the table for the printing of the amendment was taken up.

The question being on the amendment sent down from the Honorable Senate.

On motion of Mrs. Brungot of Berlin the House voted to non-concur, and asked for a committee of conference.

The Speaker appointed as members of such committee on the part of the House, Mrs. Brungot of Berlin, and Messrs. Studd of Berlin and Fogg of Milan.

COMMITTEE REPORTS

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred House Bill No. 215, An act to limit the hours of labor, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Labor, to whom was referred House Bill No. 215, An act to limit the hours of labor, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

WILLIAM COGAN,
JOHN E. McCOOEY,
A Minority of the Committee.

Amend section 14 in section 1 by striking out the whole of said section and inserting in place thereof the following:

14. *Hours of Labor Except as Hereinafter Provided*: No employer shall employ any person at manual or mechanical labor in any manufacturing establishment more than ten hours in any one day, or more than forty-eight hours in any one week, except firemen, janitors and caretakers, who may be employed sixty hours in any one week. No employer shall employ any person at manual or mechanical labor in any other employment, except hotel, cabin, boarding house labor and drug stores more than ten and one-quarter hours in any one day, or more than fifty-four hours in any one week, except firemen, janitors, and caretakers, who may be employed sixty hours in any week. No

employer shall employ any person at hotel, cabin, boarding house and drug stores labor more than sixty hours in any one week. If the work during any one day is not continuous but is divided into two or more periods, the employer shall provide that all sub-periods fall within fourteen consecutive hours. Nothing in this section or any other provision of this subdivision shall apply to the learned professions, farm labor, domestic service, nursing, telephone operators, telegraph operators, or labor in hotels, cabins and recreational business which are only operating seasonally, or to the work of any person over twenty-one years of age, earning thirty-five dollars a week in *bona fide* executive positions. Any person may be employed in more than one place of employment provided the aggregate numbers of hours that such person is employed does not exceed the limits of the division under which that employment is classed in this section. In order to provide for emergencies, repairs and peak periods, employers may exceed the hours allowed, providing time and one-half is paid for all over time.

Further amend by striking out subsection (c) of section 17 in section 1.

Further amend by striking out in lines 6 and 7 of section 18 in section 1 the words "and the amount of wages paid each person"; and by inserting the word, and, before the word "hours" where it occurs the second time in line 5, so that said section 18 as amended shall read as follows:

18. *Time Records.* Every employer shall keep in or about the premises wherein any person is employed a time book or record which shall state the name, address and occupation of each person employed, the number of hours worked by him on each day of the week, the hours of beginning and ending meal periods. Such time book or record shall be kept on file for at least one year after the entry of the record. The Commissioner of Labor or his duly authorized represensative shall for the purpose of ex-

amination have access to and the right to copy from such time book or record. Any employer who fails to keep such a time book or record, or knowingly makes any false statement therein, or refuses to make such time book or record accessible, upon request, to the Commissioner of Labor or his duly authorized representative, shall be deemed to have violated this section.

Mr. Lanyon of Hanover moved that the report of the minority be substituted for that of the majority and with this motion pending moved that the bill with the accompanying reports be laid upon the table and made a special order for Tuesday, May 11, at 10:01 o'clock.

On a *viva voce* vote the chair was in doubt.

Mr. Noel of Nashua asked for a division.

A division being taken 149 members voted in the affirmative and 143 members voted in the negative and the motion prevailed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 123, An act relating to license for bonded warehouses.

The message also announced that the Senate had recalled from the Governor House Bill No. 286, An act defining house trailers.

RESOLUTIONS

Mr. Cormier of Nashua offered the following resolution:

Be it resolved, That this session of the Legislature of the House of Representatives starting Wednesday, May 5, until the end of the session shall convene each day at 9 a. m.

(Eastern Standard Time) and that the afternoon session shall immediately follow the morning session.

The question being on the resolution.

On motion of Mr. Callahan of Keene the resolution was indefinitely postponed.

Mr. Hart of Wolfeboro offered the following resolution:

Resolved, That that part of House Rule No. 42, which provides that the time assigned for the third reading of bills shall be three o'clock in the afternoon, be and hereby is suspended for the remainder of the present session and the third readings of bills and resolutions shall be in order immediately after said bills or resolutions have been ordered to third reading.

The question being on the resolution.

Mr. Callahan moved that the resolution be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution.

(Discussion ensued)

Messrs. Dickinson of Danville, Cummings of Peterborough, McDonough of Dover, Ahern of Concord, and Callahan of Keene spoke against the resolution.

Mr. Cummings of Peterborough asked for a division.

A division being taken the vote was declared manifestly in the negative.

On motion of Mr. Hart of Wolfeboro the vote was declared unanimously in the negative.

On motion of Mr. O'Shan of Laconia:

Resolved, That the Clerk be instructed to procure 300 additional copies of Senate Bill No. 55, An act authorizing towns and cities to adopt rural land use zoning ordinances.

Mr. Tuttle of Temple offered the following resolution:

Resolved, That the Committee on Rules be instructed to accept no more new bills or joint resolutions after May 7.

On a *viva voce* vote the resolution was not adopted.

Mr. Varney of Rochester offered the following resolution:

Whereas, The Omnipotent Father has removed from among us, Representative William J. Elson, member from Strafford,

Therefore Be It Resolved, That this House unite in a tribute of respect to the memory of its departed member, a loyal citizen and

Be It Further Resolved, That this House enters upon its journal the expression of its sense of loss in the death of William J. Elson; that it extends its deepest sympathy to the bereaved family and that the Clerk of the House transmit a copy of these resolutions to the family.

CHARLES W. VARNEY, JR.
SPENCER DICKINSON,
RALPH F. SEAVEY,
GEORGE W. GARLAND,
ERNEST L. LUCAS,
MRS. BERTHA HAYES ATWOOD.

The resolution was unanimously adopted by a rising vote.

UNFINISHED BUSINESS

Mr. James of Nashua called for the unfinished business.

House Bill No. 229, An act relative to the suspension of revocation of beverage permits.

The question being on the motion to reconsider the vote whereby the House adopted the report of the Committee on Liquor Laws that it is inexpedient to legislate.

(Discussion ensued)

Mr. Seymour of Carroll spoke in favor of the motion.

Messrs. James of Nashua, and Coakley of Concord spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Noel of Nashua at 2:12 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READING

On motion of Mr. Ahern of Concord the rules were suspended and the third reading of a bill by its title made in order.

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Barden of Berlin at 2:15 o'clock the House adjourned.

WEDNESDAY, MAY 5, 1937

The House met at 10:00 o'clock.

Prayer was offered by Reverend Mr. Little of Barnstead.

LEAVES OF ABSENCE

Mr. Johnson of Manchester was granted leave of absence for the day on account of attending a funeral.

Mr. Syphers of Greenland was granted leave of absence for Thursday and Friday on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 80, An act relative to examinations for the practice of embalming.

Senate Bill No. 97, An act relative to an authorized bond issue by the town of Wolfeboro.

House Bill No. 192, An act relating to wages.

House Bill No. 305, An act relating to suppression of insect pests and plant diseases.

House Bill No. 435, An act authorizing the town of Farmington to issue refunding bonds.

The report was accepted.

Mr. Seavey of Rochester for the Committee on Appropriations, to whom was referred House Bill No. 254 (in second new draft), An act creating a Department of State Police, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being,

Shall the bill be read a third time?

(Discussion ensued)

Messrs. Wadleigh of Milford, Molloy of Nashua, Sullivan of Ward 6, Manchester, Horan of Manchester, Dickinson of Danville and Callahan of Keene and Mrs. Atwood spoke in favor of the motion. Messrs. Colby of Rochester and McDonough of Dover spoke against the motion.

Mr. Winslow of Nashua moved the previous question.

The question being,

Shall the main question now be put,

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the bill be read a third time?

Mr. McDonough of Dover demanded the yeas and nays and the roll was called with the following result:

YEAS, 281

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Tenney, Dickinson of Danville, Abbott of Derry, Hepworth, Pillsbury, Fecteau, Merrill of Exeter, Scammon,

Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Turcottee of Newmarket, Knowles, Mudge, Fernald, Palmer of Plaistow, Dondero, Foote, Gray, Pray, Yeaton, Badger, Finnigan, Rose, Gile, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Grimes, Caswell, Lucas, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Cartier, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, White, Hunt, Edgerly, O'Shan, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Quint, Head, Huntress, Banfield, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Baker, Boutwell, Mansur, Butterfield of Concord, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Wiley, Sharaf, Ahern, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Ball, Lovely, Carr, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Clougherty, Corey, Sullivan of Ward 4, Manchester, Healy, Mahoney, O'Brien, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Gorham, Hanley, Horan, Bolton, Bouthiette, Chev-

rette, Constant, Donnelly, Poulin, Driscoll, Hayes of Manchester, Gallagher, Gaudreault, Van Vliet, Cullen, Haggerty, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Caron, Lariviere, St. Germain, Maker, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Moran, Molloy, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Callahan, Graves, Knowlton, Jones of Keene, Park, Gates, Spaulding, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, King, Relihan, Britton, Horner.

SULLIVAN COUNTY: Etsler, Howe, Putnam of Claremont, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers, Osborne.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Walbridge, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunell of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Madden, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Barden, Studd, Brungot, Ramsay of Berlin, Snodgrass, Myler, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Erroll, Willis, Parker, Thompson of Lancaster, Fogg of Milan, Marshall, Rix, Fuller, Brown of Stratford, Whitcher.

NAYS, 74

ROCKINGHAM COUNTY: Fogg of Deerfield, Palmer of Kensington, Pridham, Rousseau, Estabrook of Newton, Cogan.

STRAFFORD COUNTY: Henderson of Dover, McCooey, Chabot, Garland, Blaisdell, McDonough, Durnin, Colby, Dustin, Nutter of Rollinsford, LaBonte, Dubois of Somersworth.

BELKNAP COUNTY: Tarlson, Normandin, Cantin, Martin.

CARROLL COUNTY: Day, Winkley, Hoyt of Sandwich.

MERRIMACK COUNTY: Kemp, Maxham, Carignan, Lemire, Dempsey, Douphinett, Mitchell.

HILLSBOROUGH COUNTY: Gage, Betley, Farland, Lareau, Kearns, Aubin, Lesmerises, Vigneault, Drumm, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Cormier, Noel, Wilcox, Bouthillier.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: Daly, Gaffney, Quimby, Sheehan, Thomas, Kempton.

GRAFTON COUNTY: Graham, Remick of Groton, French, Sliney.

COOS COUNTY: Mason, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Bixby, Dugas, Dutil, Seymour, Cryan, Johnson of Northumberland, Judd.

Mr. Conlon of Concord, voting, Yes, paired with Mr. Perkins of Pittsfield voting, No.

Mr. Danforth of Acworth voting, Yes, paired with Mr. Hosking of Claremont voting, No.

And the bill was ordered to a third reading.

On motion of Mr. Etsler of Claremont the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time.

The question being

Shall the bill pass?

Mr. Moffett of Berlin demanded the yeas and nays and the roll was called with the following result:

YEAS, 280

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan,

Havican, Tenney, Dickinson of Danville, Abbott of Derry, Hepworth, Pillsbury, Fecteau, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Turcotte of Newmarket, Knowles, Mudge, Fernald, Palmer of Plaistow, Dondero, Foote, Gray, Pray, Yeaton, Badger, Finnigan, Rose, Gile, Marston, Manor, Peever, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Grimes, Caswell, Garland, Lucas, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Cartier, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, White, Hunt, Edgerly, O'Shan, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Quint, Head, Huntress, Banfield, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Brown of Bow, Coakley, Rivet, Baker, Boutwell, Mansur, Butterfield of Concord, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Wiley, Sharaf, Ahern, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Ball, Lovely, Carr, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Clougherty, Corey, Sullivan of Ward 4, Manchester, Healy, Mahoney, O'Brien, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly,

Poulin, Driscoll, Hayes of Manchester, Gallagher, Gaudreault, Van Vliet, Cullen, Haggerty, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Caron, Lariviere, St. Germain, Maker, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Moran, Molloy, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Jones of Keene, Park, Gates, Spaulding, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, King, Relihan, Britton, Horner.

SULLIVAN COUNTY: Etsler, Howe, Putnam of Claremont, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Rogers, Osborne.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Walbridge, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Madden, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Moffett, Studd, Brungot, Ramsey of Berlin, Snodgrass, Myler, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Willis, Parker, Thompson of Lancaster, Fogg of Milan, Marshall, Rix, Fuller, Brown of Stratford, Whitcher.

NAYS, 74

ROCKINGHAM COUNTY: Fogg of Deerfield, Palmer of Kensington, Rousseau, Estabrook of Newton, Cogan, Henderson of Dover, McCooey, Chabot, Blaisdell, McDonough,

Durnin, Colby, Dustin, Nutter of Rollinsford, Labonte, Dubois of Somersworth.

BELKNAP COUNTY: Tarlson, Normandin, Cantin, Day, Winkley, Hoyt of Sandwich.

MERRIMACK COUNTY: Stearns of Concord, Kemp, Maxham, Carignan, Dempsey, Douphinett, Mitchell, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Gage, Betley, Farland, Lareau, Kearns, Aubin, Lesmerises, Vigneault, Drumm, Berube, Marquis, St. Francois, Ledoux, Lougee, Maddox, Cormier, Noel, Wilcox, Bouthillier.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: Daly, Gaffney, Hosking, Quimby, Sheehan, Thomas, Kempton.

GRAFTON COUNTY: Graham, Remick of Groton, French, Sliney.

COOS COUNTY: Barden, Mason, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Bixby, Dugas, Dutil, Seymour, Cryan, Johnson of Northumberland, Judd.

Mr. Danforth of Acworth, voting Yes, paired with Mr. Hosking of Claremont voting No.

Mr. Conlon of Concord, voting Yes, paired with Mr. Perkins of Pittsfield voting No.

And the bill passed and was sent to the Senate for concurrence.

Mr. Maxham of Concord for the Committee on Transportation, to whom was referred House Bill No. 453, An act relative to non-resident truck owners, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 78, An act in amendment of chapter 121, laws of 1935, establishing the New Hampshire Water Resources Board, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Cooper of Nashua for the special committee consisting of the delegation from the county of Hillsborough, to whom was referred House Bill No. 395, An act relative to clerk hire in the probate office of Hillsborough county, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out in line three the words "February, 1937," and substituting therefor the words, May, 1937, so that said section as amended shall read as follows:

2. *Extra Clerk Hire.* The payment by Hillsborough county for extra clerk hire in the office of the register of probate for the period from February, 1935, to May, 1937, is hereby ratified.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perley of Lebanon for the special committee consisting of the delegation from the county of Grafton, to whom was referred House Bill No. 447, An act establishing commissioner districts in the county of Grafton, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Frost of Milford for the special committee consisting of the delegation from the county of Hillsborough, to whom was referred House Bill No. 134, An act relating to the salary of the deputy register of probate in Hillsborough county, reported the same with the following resolution:

Resolved, that it is inexpedient to legisalte.

The report was accepted, and the resolution of the committee adopted.

The Committee of Conference, to whom was referred

House Bill No. 118, (in new draft), An act relating to the open and closed season for taking fish in certain waters, reported the same with the recommendation that the House recede from its position of non-concurrence in regard to Corbetts pond in Windham, and that the Senate recede from its position in adopting its amendments in regard to Corbetts pond in Windham and adopt the following amendments:

Amend paragraph 1 of section 5 in section 3 by striking out the words "Corbetts Pond in Windham" in line 2;

Further amend section 5 in section 3 by adding at the end thereof a new paragraph to read as follows:

VII. Corbetts pond in Windham until May first, 1941.

WILLIAM C. COLE,
DENNIS F. MAHONEY,
Conferees on the part of the Senate.

ELIHU T. ADAMS,
ROBERT ST. FRANCOIS RAMSAY,
Conferees on the part of the House.

On *a viva voce* vote the report was adopted, and the bill sent to the Senate for concurrence in the adoption of the report.

On motion of Mr. Etsler of Claremont at 12:30 o'clock the House took a recess for one hour.

(After recess)

The House was called to order.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 156, An act relating to limited partnerships.

The message further announced that the Senate refused

to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 219, An act relating to foreign insurance companies and their agents.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 440, An act authorizing the Woodsville Fire District to exceed its debt limitation.

Amend the bill by striking out sections 1, 2, and 3 thereof and substituting therefor the following sections:

1. *Authorization.* The Woodsville Fire District is hereby authorized to issue its serial notes or bonds to an amount not exceeding forty-five thousand dollars ($45,000) for the purpose of erecting a community house. Said serial notes or bonds shall be signed by the commissioners of said district, or a majority thereof, and countersigned by the treasurer of said district.

2. *Terms.* Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty years from their date of issue, in such manner and with such provisions as the commissioners of said district, or a majority thereof, shall determine, and at a rate of interest to be fixed by said commissioners.

3. *Application of General Laws.* Except as otherwise provided by this act the provisions of chapter 59 of the Public Laws shall apply to the serial notes or bonds herein authorized.

On motion of Mr. Bailey of Hanover, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 449, An act relating to the compensation of the County Treasurers.

Amend section 1 of the bill by striking out the word "four" after the word "Rockingham" and inserting in place thereof the word eight; so that said section as amended shall read as follows:

1. *County Treasurers.* Amend section 12, chapter 39 of the Public Laws as amended by chapter 104 of the Laws of 1935 by striking out the whole of said section and inserting in place thereof the following: 12. *Salaries and Expenses.* The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars
In Strafford, four hundred dollars
In Belknap, three hundred dollars
In Carroll, four hundred dollars
In Merrimack, four hundred dollars
In Hillsborough, twelve hundred dollars
In Cheshire, two hundred dollars
In Sullivan, two hundred dollars
In Grafton, three hundred dollars
In Coos, four hundred dollars

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

On motion of Mr. Pridham of Newcastle, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 382, An act relative to laying out of highways.

Amend said bill by striking out section 3 and inserting in place thereof the following:

3. *Construction and Maintenance.* Amend section 6 of chapter 77 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 6. *Payment.* The state shall pay such portion of the services of the commissioners, the sums awarded to owners of land and costs of construction of the highway as the governor with the advice of the council shall deem just and reasonable. All sums so determined shall be a charge upon the highways funds. The balance of said costs and charges shall be paid by the town or towns in which said highway is laid out. Said highway shall be maintained by said town or towns unless the governor and council shall otherwise determine.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 394, An act relating to lines of telegraphs and other companies in highways.

Amend section 1 of said bill by striking out the first two lines thereof and inserting in place thereof the following:

1. *Lines of Wire, Cables, etc.* Amend section 2, chapter 97, Public Laws, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 2 of said bill by striking out all of said section before the word "and" in the third line and inserting in place thereof the following:

2. *Action on Petition.* Amend section 5 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 3 of said bill by striking out all before the

word "and" in the third line and inserting in place thereof the following:

5. *Dissatisfaction of Parties in Interest.* Amend section 7 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 4 of said bill by striking out all before the word "and" in the third line and inserting in place thereof the following:

4. *State Highways and Trunk Lines.* Amend section 9 of said chapter 97 as inserted by chapter 100 of the Public Laws, by striking out said section.

Amend section 5 of said bill by striking out all before the word "and" in the third line and inserting in place thereof the following:

5. *Authority to Grant.* Amend section 11 of said chapter 97, as inserted by chapter 100 of the Laws of 1935, by striking out said section.

Amend section 6 of said bill by striking out the first three lines and inserting in place thereof the following:

6. *Licenses.* Amend said chapter 97, as inserted by chapter 100 of the Laws of 1935, by adding after section 11 the following new section:

Further amend said bill by adding at the end thereof the following new section:

7. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Bell of Plymouth the bill with the amendments was laid upon the table to allow the amendments to be printed.

House Bill No. 430, An act relating to institutions under the supervision of the Bank Commissioner.

Amend section 2 of said bill by adding at the end thereof the words, relative to bonds of treasurers of savings banks.

Amend section 3 of said bill by striking out the words and figures, "Public Laws, chapter 265, section 29" and inserting in place thereof the words and figures, section 29, chapter 265 of the Public Laws.

Amend section 4 of said bill by striking out the words and figures, "and renumbering sections 30, 31, 32, 33 thereof to be respectively sections 26, 27, 28 and 29," and inserting in place thereof the words, relative to officers' bonds.

Amend section 6 of said bill by striking out the word "added" in the second line and inserting in place thereof the word, inserted; by striking out the words "the same" in the eighth line and inserting in place thereof the words, said section; and by inserting after the word "read" in the same line the words, as follows.

Amend section 8 of said bill by inserting after the word "thereto" the words, the following.

Amend section 10 of said bill by striking out the word "both" in the first line; and by inserting after the word "Laws" in the second line the words, relative to right to act as savings bank.

Amend section 11 of said bill by striking out all before the word "Loans" in the second line and inserting in place thereof the following:

11. *Investments.* Amend paragraph I-a, section 3, chapter 262 of the Public Laws, as inserted by section 1, chapter 32, Laws of 1935, by striking out the same and inserting in place thereof the following: I-a.

Amend section 12 of said bill by striking out all of said section and inserting in place thereof the following:

12. *Repeal.* Paragraph VIII-b of section 3 of chapter 262 of the Public Laws, as inserted by section 3, chapter 32, Laws of 1935, relative to investments in obligations of national mortgage associations, is hereby repealed.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct district in the town of Rye.

Amend section 1 of said bill by striking out the words and

figure "of said section 1" in the fifth line and inserting in place thereof the word, thereof.

Further amend said section 1 of said bill by striking out the figure "68e" and inserting in place thereof the figure, 68, and by striking out the words and figures "as amended by chapter 90 of the Laws of 1929", where said words and figures occur in the ninth, tenth, thirty-eighth and thirty-ninth lines.

Further amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

OPINION OF THE SUPREME COURT

The following opinion was received from the Supreme Court:

To the House of Representatives:

The undersigned Justices of the Supreme Court furnish this opinion in answer to the inquiry of your resolution of April 28, whether the provisions of House Bill No. 161 (in second new draft), violate any provisions of the state or federal constitutions.

It is not clear to what specific prescriptions of the organic law your doubts may apply, but we assume that the chief one in mind is that relating to pensions. By our state constitution (Pt. I, Art. 36) no pension shall be granted except for actual services, and then for no more than one year at a time. "A pension ordinarily suggests the idea of a bounty or reward for service rendered, but the term might include a grant which was a mere gratuity." *Opinion of the Justices,* 78 N. H. 617, 618. It is in the

concept of a pension, when a reward for service, that the service be rendered and performed before the pension is granted. To be a pension, the reward must be free from any character as the discharge of an existing legal or contractual liability. Payment for service to be rendered is in no sense a pension. For such service, the time, manner, or amount of payment is ineffective to endow the payment with any character as a pension.

Viewing the bill in this aspect, we see no attributes of a pension in the payments it proposes. They are to be for teaching to be furnished, and not for past teaching for which the agreed compensation has been fully paid. While past teaching may be required qualification for one to benefit from the retirement payments proposed by the bill, its terms include no allowance of payment therefor. The purpose of the bill to recognize "the public service rendered by the teachers in the public schools" is an insufficient basis, standing alone, to justify payments in any form to them, but the further statement that the payments are to be "additional compensation" for their service is construed to refer only to future service. This construction is in application of the rule that statutory language is to be read to avoid unconstitutional results, if it is susceptible of such a reading. And an examination of the workings of the bill shows no reward as bounty for past service is within its scheme. If such were the case, it would be forbidden and void.

The bill proposes no payments except as part of the compensation for the time ensuing its passage to a teacher's retirement; and the amount of the retirement payments depends upon the length of such period. There is thus carried out the idea that past service is no more than one of the requirements of eligibility for obtaining retirement allowance, and that neither directly nor indirectly is the additional compensation for service to be an allowance in any degree for past service.

We note that the bill provides for two members of the

retirement board to be selected by the retirement association. While expressing no definite opinion, we believe that the private naming and appointment of public officers presents a grave question of the legislative power of delegation of its authority. Election by voters and appointment by governmental departments or bodies are the normal methods, and any other method is thought to be doubtful validity.

It is our opinion that the general plan and scheme of the bill is a valid one, and aside from the minor point discussed, our examination has not brought to notice any of its provisions which conflict with the federal constitution and no possible conflict with the federal constitution occurs to us.

JOHN E. ALLEN,
THOMAS L. MARBLE,
OLIVER W. BRANCH,
PETER WOODBURY,
EDWIN L. PAGE,

May 4, 1937.

On motion of Mr. Sanders of Laconia at 2:38 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended, and the third readings of bills, by their titles made in order.

House Bill No. 453, An act relative to non-resident truck owners.

House Bill No. 395, An act relative to clerk hire in the probate office of Hillsborough county.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Seavey of Rochester at 2:40 o'clock the House adjourned.

THURSDAY, MAY 6, 1937

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

SONG

Edward Scofield, formerly of New York, and now a permanent resident of New Hampshire in Alexandria.

A teacher of singing and composer. Sang his own composition, "Old New Hampshire—The Perfect Haven."

OLD NEW HAMPSHIRE

(The Perfect Haven)

You say you're restless and, oh, so weary
And long to get away from care and strife.
The city bores you, the crowds annoy you,
You long to have a taste of peaceful country life.

I've had that feeling 'til my brain was reeling,
But I've found the perfect cure for all these ills,
It's my secret, but I'll tell you where to find
Just what you're looking for.

And once you're there, you'll roam no more.

CHORUS:

Come with me to Old New Hampshire
'Mongst New England's rocks and rills
There's no other state so lovely

With her lakes and glorious hills.
There you'll find a perfect haven
From the noises of the town
While cool breezes from the mountains
Are softly wafted down.
Her people all are friendly and true blue,
A helping hand they'll all extend to you.
If you want a glimpse of heaven,
And advice you'll take from me
Come along to Old New Hampshire
It is truly God's Country.

LEAVE OF ABSENCE

Mr. Dustin of Rochester was granted leave of absence for the day on account of important business.

RESOLUTION

On motion of Mr. Callahan of Keene.

Resolved, that when the House adjourns today it be to meet tomorrow morning at 9 o'clock, and that when it then adjourns it adjourns to meet Monday evening at 6:30 o'clock.

NOTICE OF RECONSIDERATION

Mr. Moffett of Berlin gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House passed House Bill No. 254, An act creating a department of state police.

Mr. Dickinson of Danville moved to reconsider the vote at the present time.

The question being on the motion of Mr. Dickinson.

(Discussion ensued)

Messrs. McDonough of Dover and Hoyt of Sandwich spoke in favor of the motion, Mr. Dickinson of Danville and Noel of Nashua spoke against the motion.

Mr. Moffet demanded the yeas and nays, and the roll was called with the following result:

YEAS, 25

STRAFFORD COUNTY: Henderson of Dover, McCooey, Chabot, Durnin.

BELKNAP COUNTY: Martin, O'Shea.

CARROLL COUNTY: Day, Hoyt of Sandwich.

MERRIMACK COUNTY: Kemp, Carignan, Lemire, Dempsey, Douphinett.

HILLSBOROUGH COUNTY: Gage, Vigneault, Drumm, Marquis, Ledoux, Lougee, Routhillier.

SULLIVAN COUNTY: Daly.

GRAFTON COUNTY: Graham, Sliney.

COOS COUNTY: Barden, Judd.

NAYS, 219

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Tenney, Dickinson of Danville, Hepworth, Pillsbury, Fecteau, McReel, Merrill of Exeter, Tozier, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Fernald, Palmer of Plaistow, Dondero, Gray, Pray, Yeaton, Cogan, Badger, Rose, Gile, Drowne, Adams of Seabrook.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Durkin, McDonough, Whitehouse, Longley, Seavey, Varney, St. Laurent.

BELKNAP COUNTY: Little, Hunt, Edgerly, O'Shan, Normandin, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton.

CARROLL COUNTY: Russell, Downs, Mudgett, Quint, Huntress, Banfield, Winkley, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Coakley, Rivet, Stearns of Concord, Baker, Boutwell, Man-

sur, Butterfield of Concord, Conlon, Nash, Sturtevant, Tilton of Concord, Brunel of Concord, Maxham, Wiley, Ahern, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Lovely, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Clark of Bedford, Avery, Matheson, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Corey, Sweeney of Ward 5, Manchester, Gorham, Horan, Bolton, Hayes of Manchester, Gaudreault, Kelley of Ward 11, Manchester, Aubin, Letendre, Frost, Wadleigh, Atherton, Cooper, Winslow of Nashua, Armington, Sullivan of Nashua, Berube, Moran, St. Francois, Molloy, Noel, Wilcox, Thompson of New Ipswich, Cummings of Peterborough, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Callahan, Graves, Knowlton of Keene, Jones of Keene, Park, Hilton, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Dubois of Swanzey, Barrett of Troy, King, Relihan, Burbank of Winchester.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Quimby, Brigham, Kelly of Newport, Kempton.

GRAFTON COUNTFl: Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Walbridge, Remick of Groton, Tuxbury, Brunelle of Haverhill, Titus, Perley, Hoyt of Lebanon, Madden, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

Coos COUNTY: Mason, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Dickson of Colebrook, Jordan of Errol, Chandler of Gorham.

Wills, Parker, Fogg of Milan, Johnson of Northumberland, Rix, Brown of Stratford, Whitcher.

And the motion to reconsider did not prevail.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 82, An act relating to business corporations.

House Bill No. 123, An act relating to licenses for bonded warehouses.

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District, held in the town of Conway, March 31, 1937.

House Bill No. 450, An act authorizing the sale of certain property of the state in the towns of New London and Milan.

House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

The report was accepted.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 204 (in new draft, and with a new title), An act relating to liability insurance, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and substituting therefor the following:

1. Amend chapter 279 of the Public Laws by inserting after section 3 the following new section to read as follows:

3-a. *Reinsurance.* No insurer authorized to do business in this state shall reinsure or assume any risk, or any part thereof, in this state underwritten by an unadmitted company.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to at hird reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 56, An act relative to the placing out of infants, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Placing of Infants.* Amend section 12 of chapter 113 of the Public Laws, as amended by chapter 177, Laws of 1929, by striking out the words "for Compensation" in the second and third lines and inserting in place thereof the words, for a period of more than thirty days, so that said section as amended shall read as follows: 12. *Notice of Placing.* Whoever receives under his care or control, and whoever places under the care or control of another, for a period of more than thirty days, an infant under three years of age, which is not related by blood or marriage to the person receiving it, shall, within two days thereafter, give notice thereof, and of the terms upon which such infant was received, to the state board of public welfare, with the name, age and residence of the infant, its parents and the persons from whom and by whom it was received.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Cormier of Nashua for the Committee on Coastwise Improvements, to whom was referred House Bill No. 207, An act relating to the acquisition of certain coastal land in the town of Rye for recreational purposes, reported the same in a new draft and with a new title, and the recommendation that the bill in its new draft and title be recommitted to the Committee on Coastwise Improvements.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and recommitted to the Committee on Coastwise Improvements.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 402, An act creating a probation department, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 404, An act relating to neglected and delinquent children, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Atherton of Nashua for the Committee on Insurance, to whom was referred House Bill No. 206 (in a new draft and with a new title), An act relating to insurance companies and agents, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

TAKEN FROM THE TABLE

House Bill No. 394, An act relating to lines of telegraph and other companies in highways, was taken from the table.

On motion of Mr. Bell of Plymouth the House concurred with the Senate in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 408, An act relative to the annual registration fee for the practice of optometry.

House Bill No. 445, An act legalizing the proceedings of the meeting of the Conway Village Fire District held in the town of Conway, March 31, 1937.

House Bill No. 450, An act authorizing the sale of certain propery of the state in the towns of New London and Milan.

House Bill No. 454, An act authorizing the Bethlehem Village District to issue refunding bonds or notes.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 174, An act to protect Lakes Winnipesaukee, Paugus, Opeechee, and Winnisquam, and the Winnipesaukee river.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds.

Amend House Joint Resolution No. 37, by striking out all that follows the enacting clause thereof and inserting in place thereof the following:

1. That the sum of one hundred seventeen thousand, two hundred eleven dollars and five cents ($117,211.05) be and hereby is appropriated for the highway department to rehabilitate the funds for said department on account of

premiums received by the state from the sale of certain bonds, which said premiums were covered into the general funds of the state. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

2. *Bonds Authorized.* The state treasurer is hereby authorized, under direction of the governor and council, to borrow upon the credit of the state not exceeding one hundred seventeen thousand, two hundred eleven dollars and five cents ($117,211.05) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. Such bonds and notes shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds and notes countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds and notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor, for the purposes of this act alone and the governor, with the advice and consent of the council,

shall draw his warrants for the payment from the funds provided for by this act of all sums expended or due for the purposes herein authorized. Interest from such bonds and notes shall not be subject to the taxes imposed by chapter 65 of the Public Laws.

3. *Short Term Notes.* Prior to the issuance of bonds hereunder the treasurer, under the direction of the governor and council, shall for the purposes hereof borrow money from time to time on short term loans to be refunded by the issuance of the bonds hereunder.

4. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Seavey of Rochester the House concurred in the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 82, An act relating to business corporations.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 47, An act providing for an addition to the cell block of the State Prison.

Senate Bill No. 94, An act changing the name of Gorham pond to Lake Gorham.

SENATE BILLS READ AND REFERRED

Senate Bill No. 47, An act providing for an addition to the cell block of the State Prison.

The bill was read a first and second time and referred to the Committee on Appropriations.

Senate Bill No. 94, An act changing the name of Gorham pond to Lake Gorham.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Ahern of Concord business in order at 2:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 204 (In new draft and with new title), An act relating to liability insurance.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 56, An act relative to the placing out of infants.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mr. Cummings of Peterborough at 11:21 o'clock the House adjourned.

FRIDAY, MAY 7, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, May 7, 1937.

Mr. Albert S. Baker,
Concord, N. H.,

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, MAY 10, 1937.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Monday, May 10, 1937.

Mr. Charles B. Hoyt,
Sandwich, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, MAY 11, 1937.

The House met at 10:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Danforth of Acworth was granted leave of absence for the day on account of attending a funeral.

INTRODUCTION

Mr. A. A. Cole of Portland, Maine, the oldest merchant

now in business in New England, was introduced to the House.

COMMITTEE REPORTS

Mr. Atherton of Nashua for the Committee on Banks, to whom was referred Senate Bill No. 29 (in new draft), An act relating to building and loan associations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 458, An act to repeal charters of certain corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 455, An act authorizing the Orford School district in the town of Orford to issue notes or bonds for the remodeling of a school

building, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 19, An act providing for the employment of an Assistant Attorney-General, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 83, An act relating to deposits by State Treasurer, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 448, An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings, reported the same in a new draft, with the recommendation that the bill in its new draft be recommitted to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 264 in new draft, An act to regulate the practice of barbering, reported the same in a second new draft, with the recommendation that the bill be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Public Health.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 238, An act to prevent deceptive merchandising practices, to restrain unfair competition in trade and industry, and to protect fair trade practices in distribution, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred House Bill No. 117, An act relating to hours of labor for women and minors, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Dickinson of Rochester spoke against the resolution.

Mr. Dickinson of Rochester moved to substitute the words ought to pass for the words inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Smith of Haverhill spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Dwyer of Manchester asked for a division.

A division being taken, 85 members voted in the affirmative and 202 members voted in the negative and the motion to substitute did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No.

86, An act relating to daylight saving time, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 86, An act relating to daylight saving time, reported the same in a new draft and with a new title, with the recommendation that the bill in its new draft and with its new title ought to pass.

CHARLES B. HOYT,
HARRY A. GOODWIN,
J. H. PERKINS,
DENNIS M. McDONOUGH,
CHARLES F. HELMS,
A Minority of the Committee.

Mr. Hoyt of Sandwich moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Mr. Hoyt.

(Discussion ensued)

Messrs. Hoyt of Sandwich, and Dickinson of Rochester spoke in favor of the motion. Messrs. Molloy of Nashua, Barnard of Manchester, Woodbury of Manchester, and Hart of Wolfeboro spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Hoyt of Sandwich offered the following amendment:

Amend said bill by inserting the following new section:

SECTION 2. *Exception.* The counties of Grafton, Carroll and Coos shall be exempt from the provisions of this act and section 76 of chapter 42 of the Public Laws shall remain in full force in the towns and cities within those counties.

Amend Section 2 to read Section 3.

The question being on the amendment.

(Discussion ensued)

Mr. Hoyt of Sandwich spoke in favor of the amendment.

Mr. Hoyt of Sandwich asked for a division.

A division being taken, 50 members voted in the affirmative and 249 members voted in the negative and the amendment was not adopted.

Mr. Havican of Brentwood offered the following amendment:

Amend said bill by adding at the end thereof, this act shall be referred to the several cities and towns for a referendum.

The question being on the amendment.

(Discussion ensued)

Mr. Havican of Brentwood spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

Mr. Callahan of Keene moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The bill was then ordered to a third reading.

Mr. Sanderson of Pittsfield moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

Mr. Hoyt of Sandwich demanded the yeas and nays and the roll was called with the following result:

YEAS, 268

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Dickinson of Danville, Abbott of Derry, Hepworth, Pillsbury, Fecteau, McReel, Merrill of Exeter, Scammon, Syphers, Emerson, Stevens, Nesmith, Pridham, Turcotte of Newmarket, Estabrook of Newton, Knowles, Barrett of

Portsmouth, Dondero, Kittredge, Foote, Gray, Pray, Yeaton, Cogan, Badger, Rose, Manor, Peever, Jewell, Buttereld of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, McCooey, Chabot, Durkin, Caswell, Garland, Blaisdell, Durnin, Blanchard, Richards, Whitehouse, Longley, Jenkins, Colby, Cartier, Seavey, Varney, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Hunt, Edgerly, O'Shan, Tarlson, Normandin, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Sanders, Martin, Helms, O'Shea.

CARROLL COUNTY: Churchill, Downs, Mudgett, Quint, Winkley, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Kemp, Baker, Boutwell, Mansur, Butterfield of Concord, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Matson, Ahern, Donovan, Piper, Carignan, Dempsey, Douphinett, Rowe, Johnson of Hooksett, Ball, Merrill of Loudon, Lovely, Carr, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Woodbury of Manchester, Casey, Talty, Clark of Manchester, Corey, Lacroix, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. of Ward 6, Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Horan, Bouthiette, Chevrette, Constant, Farland, Poulin, Walsh, Lareau, Gallagher, Gaudreault, Aubin, Letendre, Soucy, Boisvert, Lariviere, Lesmerises, St. Germain, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier,

Molloy, Noel, Wilcox, Bouthillier, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Duffy, Roche, Hemenway, Tolman, Rice, Woodbury of Sullivan, Dubois of Swanzey, Granger, Barrett of Troy, Britton, Burbank of Winchester .

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Daly, Etsler, Hosking, Howe, Quimby, Thomas, Osborne.

GRAFTON COUNTY: Davis, Bailey of Bath, Graham, Walbridge, Hunter, Lanyon, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Perley, Dubuque, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Hamilton, Hildebrand, Magoon, Soper, Jones of Munroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Dreghorn.

COOS COUNTY: Mason, Moffett, Roy, Montminy, Studd, Ramsey of Berlin, Snodgrass, Bixby, Myler, Jordan of Errol, Chandler of Gorham, Willis, Parker, Cryan, Thompson of Lancaster, Johnson of Northumberland.

NAYS, 103

ROCKINGHAM COUNTY: Dagan, Havican, Fogg of Deerfield, Tozier, Beede, Perkins of Hampton, Palmer of Kensington, Rousseau, Fernald, Gile, Drowne.

STRAFFORD COUNTY: Henderson of Dover, McDonough, Caldwell, Dustin, Dickinson of Rochester, Nutter of Rollinsford.

BELKNAP COUNTY: Rollins, Little, Newell, Smith of New Hampton.

CARROLL COUNTY: Russell, Day, Head, Huntress, Banfield, Hoyt of Sandwich.

MERRIMACK COUNTY: Munroe, Maxham, Wiley, Nut-

ter of Epsom, Lemire, Fowler, Mitchell, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Reynolds, Cummings of Lyndeborough, Gage, Barry, Dwyer, Kelley of Ward 3, Manchester, Sullivan of Ward 4, Manchester, Betley, O'Brien, Connolly, Paul J., Ward 6, Manchester, Jordan of Manchester, Gorham, Hanley, Donnelly, Driscoll, Hayes of Manchester, Cullen, Haggerty, Kelley of Ward 11, Manchester, Caron, Winslow of Nashua.

CHESHIRE COUNTY: Winslow of Chesterfield, Callahan, Spaulding, King, Relihan, Horner.

SULLIVAN COUNTY: Gaffney, Putnam of Claremont, Johnson of Cornish, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Rogers, Cram.

GRAFTON COUNTY: Goodwin, Hammond, Remick of Bristol, Pulsifer, Remick of Groton, Tuxbury, Titus, Madden, Collins, Bailey of Lyme, Houston, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Palmer of Berlin, Brungot, Dugas, Dutil, Seymour, Felton, Dickson of Colebrook, Ramsey of Colebrook, Parkhurst, Fogg of Milan, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

The bill was then read a third time.

The question being,

Shall the bill pass?

Mr. Callahan of Keene demanded the yeas and nays but subsequently withdrew his demand.

The bill was then passed and sent to the Secretary of State to be engrossed.

Mr. Despres of Jaffrey for the special committee consisting of the Delegation from the County of Cheshire to whom was referred House Bill No. 438, An act to increase the salary of solicitor of Cheshire County, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Olson of Keene offered the following amendment:

Amend said bill by striking out paragraph 2 of said bill and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect on April 1, 1938.

The question being on the amendment.

(Discussion ensued)

Mr. Olson of Keene spoke in favor of the amendment.

Messrs. Dickinson of Rochester and Callahan of Keene spoke against the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Etsler of Claremont at 11:37 o'clock the House took a recess for one hour.

(After recess)

The House was called to order.

COMMITTEE OF CONFERENCE

Mr. Saltmarsh of Concord presented the following report:

The Committee of Conference, to whom was referred Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors, recommend that the Senate recede from its position of non-concurrence in the amendment adopted by the House, and that the House recede from its position in adopting said amendment, and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by changing the title thereof so that the same will read:

An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Motor Vehicle Registration.* Amend section 4, chapter 100 of the Public Laws by striking out said section and inserting in place thereof the following: 4. *Expiration.* The registration of every motor vehicle, trailer, semi-trailer or tractor shall expire at midnight upon March thirty-first next following the date of its issue, unless otherwise provided.

2. *Municipal Permits.* Amend section 18 of said chapter 100 by striking out the words "December thirty-first of the year when issued" and inserting in place thereof the words, March thirty-first next following the date of their issue, so that said section as amended shall read as follows: 18. *Expiration.* All permits for registration of motor vehicles provided for in this chapter shall expire at midnight upon March thirty-first next following the date of their issue.

3. *Amendment.* Amend section 12 of said chapter 100, as amended by chapter 5, Laws of 1929 by striking out said section and inserting in place thereof the following: 12. *Transfer Credits.* Upon the transfer of ownership of a motor vehicle the permit shall expire; provided, that any owner who has paid a permit fee for a motor vehicle the ownership of which is transferred, or which is subsequently totally lost by fire, theft or accident, during the same fiscal year ending March thirty-first shall be entitled to a credit to the amount of any such permit fee or fees towards other permit fees which may be required of him in the same fiscal year; and provided further that a minimum amount of fifty cents in cash shall be paid for each permit issued. No portion of any permit fee once paid shall be repaid to any person and from December first to March thirty-first such credit shall not exceed one-third of the amount of the original fee.

4. *Amendment.* Amend section 15 of said chapter 100

by striking out the word "September" in the second line and inserting in place thereof the word December, and by striking out the word "December" in the third line and inserting in place thereof the word March, so that said section as amended shall read as follows: 15. *Reduced Fee.* For permits issued under the provisions of this chapter during the period beginning with December first and ending March thirty-first the fees shall be one-third of the sum named in section 14.

5. *Operator's License.* Amend section 8 of chapter 101 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Expiration.* All licenses to operate motor vehicles, except special non-resident certificates, shall expire on March thirty-first next following the date of their issue.

6. *Number Plates.* Amend section 2 of chapter 103 of the Public Laws, as amended by chapter 76 of the Laws of 1927, by striking out said section and inserting in place thereof the following: 2. *Use of.* No number plates other than those procured from the commissioner or such as may be authorized by him for temporary use, except as provided for non-residents, shall be displayed on any motor vehicle, trailer, semi-trailer or tractor so operated, but during the period from March twenty-ninth to March thirty-first, inclusive, the owner of a vehicle which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the succeeding fiscal year, may display in the manner provided herein in place of the number plates then in use the number plates for the succeeding fiscal year.

7. *Fiscal Year.* All sections of the motor vehicle laws referring to the calendar year are hereby amended in so far that such sections shall now apply to the fiscal year ending on March thirty-first.

8. *Temporary Provisions for Registration.* For the period from January first to March thirty-first, inclusive,

1938, the owner of a motor vehicle, trailer, semi-trailer or tractor which has been properly registered in accordance with the provisions of chapter 100 of the Public Laws for the year 1937, shall display on said motor vehicle, trailer, semi-trailer or tractor in the manner provided for by law, said 1937 number plates and such motor vehicles, trailers, semi-trailer or tractor displaying such number plates shall be deemed to be properly registered for the period ending March thirty-first. The registration of every motor vehicle, trailer, semi-trailer or tractor registered for the period from January first, 1938, to March thirty-first, 1938, shall expire at midnight on March thirty-first, 1938. For such registrations the commissioner may issue 1937 plates and such motor vehicles, trailers, semi-trailers or tractors displaying such 1937 number plates shall be deemed to be properly registered. For the registration of motor vehicles during the period from January first, 1938, to March thirty-first, 1938, no permit for registration as provided for in section 10, chapter 100, Public Laws shall be required.

9. *Temporary Provisions for Operators Licenses.* For the period from January first to March thirty-first, inclusive, 1938, a person who has been properly licensed to operate a motor vehicle in accordance with the provisions of chapter 101 of the Public Laws may use such license in the manner provided by law, and shall be deemed to be properly licensed to operate a motor vehicle, for such period. All licenses to operate motor vehicles issued during the period from January first to March thirty-first, inclusive, 1938, for said period shall expire at midnight on March thirty-first, 1938. For such licenses the commissioner may issue 1937 licenses and a person who has been properly licensed for said period may use such licenses in the manner provided by law and shall be deemed to be properly licensed to operate motor vehicles for such period. No fee shall be charged for licenses issued for such period.

10. *Takes Effect.* This act shall take effect at midnight December thirty-first, 1937.

ALLAN M. WILSON,
WILLIAM M. COLE,
Conferees for the Senate.

DONALD W. SALTMARSH,
WALTER A. PILLSBURY,
JAMES W. PRIDHAM,
Conferees for the House.

Mr. Sanborn of Wakefield moved that the House nonconcur and asked for a new Committee of Conference.

The question being on the motion of Mr. Sanborn.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion. Messrs. Pillsbury of Derry, Perley of Lebanon, and Saltmarsh of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Perley of Lebanon moved that the report of the Committee be accepted.

On a *viva voce* vote the motion prevailed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the Federal government.

House Bill No. 86, An act relating to caretakers on recreational areas on state lands.

The message also announced that the Senate refused to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 79, Joint resolution relating to index for session laws.

SPECIAL ORDER

Mr. Lanyon of Hanover called for the special order, House Bill No. 215, An act to limit the hours of labor, reported from the committee with the resolution that it is inexpedient to legislate.

A minority of the committee reported that the bill ought to pass with amendment.

The question being,

Shall the report of the minority be substituted for that of the majority?

(Discussion ensued)

Messrs. Lanyon of Hanover, Davis of Ashland, McCooey of Dover, and McDonough of Dover spoke in favor of the motion. Messrs. Smith of Haverhill, and Barnard of Manchester spoke against the motion.

Mr. Etsler of Claremont moved the previous question.

The question being:

Shall the main question now be put?

On a *vive voce* vote the previous question was ordered.

The question being:

Shall the report of the minority be substituted for that of the majority?

Mr. French of Lebanon demanded the yeas and nays and the roll was called with the following result:

YEAS 134

ROCKINGHAM COUNTY: Hepworth, Pillsbury, Fecteau, Palmer of Kensington, Rousseau, Turcotte of Newmarket, Barrett of Portsmouth, Kittredge, Foote, Cogan, Badger.

STRAFFORD COUNTY: Atwood, Henderson of Dover, McCooey, Chabot, Durkin, Blaisdell, Lucas, Durnin, McDonough, Caldwell, Whitehouse, Colby, Dustin, Cartier,

Dickinson of Rochester, Lageux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Edgerly, O'Shan, Normandin, Cantin, Dixon of Laconia, Helms, O'Shan.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Courtemanche, Carter, Coakley, Rivet, Stearns of Concord, Mansur, Ahern, Donovan, Carignan, Dempsey, Douphinett, Fowler, Johnson of Hooksett, Dupont, Sanderson.

HILLSBOROUGH COUNTY: Cole, Smith of Hudson, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Sullivan of Ward 4, Manchester, Betley, Lacroix, O'Brien, Booth, Connolly, Paul J., Ward 6, Manchester, Jordan of Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Horan, Chevrette, Constant, Farland, Poulin, Walsh, Hayes of Manchester, Lareau, Gallagher, Gaudreault, Cullen, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere, Duclos, Bernard, Vigneault, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier.

CHESHIRE COUNTY: Callahan, Duffy, Roche, Dubois of Swanzey, Relihan.

SULLIVAN COUNTY: Daly, Thomas, Brigham, Cummings of Newport, Kelly of Newport, Kempton.

GRAFTON COUNTY: Davis, Bailey of Bath, Lanyon, Dubuque, French, Jones of Lebanon, Sliney, Madden, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Mason, Montminy, Palmer of Berlin, Ramsey of Berlin, Bixby, Myler, Johnson of Northumberland.

NAYS 178

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Fogg of Deerfield, Abbott of Derry, McReel, Merrill of Exeter, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham,

Estabrook of Newton, Knowles, Marston, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Hayes of Dover, Longley, Jenkins, Seavey.

BELKNAP COUNTY: Rollins, Little, Hunt, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Sanders, Smith of New Hampton.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Huntress, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Kemp, Boutwell, Butterfield of Concord, Conlon, Saltmarsh, Tilton of Concord, Maxham, Wiley, Nutter of Epsom, Lemire, Rowe, Ball, Lovely, Carr, Perkins of Pittsfield, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Stearns of Hancock, Boynton, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Corey, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, Winslow of Nashua, Armington, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Gates, Hilton, Spaulding, Hemenway, Tolman, Rice, Woodbury of Sullivan, Barrett of Troy, King, Britton.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Etsler, Gaffney, Hosking, Howe, Putnam of Claremont, Quimby, Johnson of Cornish, Rogers, Osborne, Cram.

GRAFTON COUNTY: Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Hoyt of Lebanon, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones

of Monroe, Lufkin, Howard, Bell, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Studd, Brungot, Snodgrass, Dutil, Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Erroll, Chandler of Gorham, Willis, Cryan, Fogg of Milan, Thompson of Lancester, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

Mr. Manor of Salem voting No, paired with Mr. Driscoll of Manchester voting Yes.

Mr. Peever of Salem voting No, paired with Mr. A. J. Connelly of Manchester voting Yes.

Mr. Baker of Concord voting No, paired with Mr. St. Germain of Manchester voting Yes.

Mr. Nash of Concord voting No, paired with Mr. Lesmerises of Manchester voting Yes.

Mr. Sturtevant of Concord voting No, paired with Mr. Bolton of Manchester voting Yes.

Mrs. Charois of Greenville voting No, paired with Mrs. Dugas of Berlin voting Yes.

Mr. Barnard of Manchester voting No, paired with Mr. Hanley of Manchester voting Yes.

Mr. Sullivan of Ward 6, Manchester voting Yes, paired with Mr. Merrill of Plymouth voting No.

Mr. Henderson of Berlin voting Yes, paired with Mr. Parker of Jefferson voting No.

And the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Roche of Keene at 3:10 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were

suspended and the third readings of bills by their titles made in order.

THIRD READINGS

House Bill No. 455, An act authorizing the Orford school district in the town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 29, in new draft, An act relating to building and loan associations.

Senate Bill No. 83, An act relating to deposits by state treasurer.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Tilton of Laconia, the hours for assembly were fixed at 11:00 o'clock in the forenoon and 3:00 o'clock in the afternoon daylight saving time.

On motion of Mr. Graham of Canaan at 3:15 o'clock the House adjourned.

WEDNESDAY, MAY 12, 1937

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs Saltmarsh and Conlon of Concord were granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 86, An act relating to daylight saving time.

House Bill No. 85, An act relating to the management by the forestry and recreation commission of certain forest lands acquired by the federal government.

House Bill No. 86, An act relating to caretakers on recreational areas, on state lands.

House Bill No. 118, An act relating to the open and closed season for taking fish in certain waters.

House Bill No. 156, An act relating to limited partnerships.

House Bill No. 382, An act relative to the laying-out of highways.

House Bill No. 394, An act relating to lines of telegraph and other companies in highways.

House Bill No. 430, An act relating to institutions under the supervision of the bank commissioner.

House Bill No. 440, An act authorizing the Woodsville Fire District to issue notes or bonds in excess of its debt limitation.

House Bill No. 441, An act relating to the powers of Rye Beach Precinct District in the town of Rye.

House Bill No. 449, An act relating to the compensation of the county treasurers.

Senate Bill No. 56, An act relative to the placing out of infants.

Senate Bill No. 83, An act relating to deposits by state treasurer.

Senate Bill No. 96, An act relative to an authorized bond issue by the town of Conway.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 461, An act to name the highway from Winchester to Rindge, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 462, An act relating to bridges on trunk lines and state aided highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 84, An act relating to applicants for examinations for the practice

of medicine, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 102, An act relating to suspension of motor vehicle licenses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 402 (in new draft), An act creating a probation department, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 404 (in new draft), An act relating to neglected and delinquent children, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation law, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 464, An act authorizing towns, cities and other municipal corpora-

tions to accept the Workmen's Compensation provisions of chapter 178 of the Public Laws, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 465, An act enlarging the scope of the Employers' Liability and Workmen's Compensation Law, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in

the Connecticut River basin and for carrying out the provisions of said agreement or compact, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Varney of Rochester for the special committee consisting of the delegation from the county of Strafford, to whom was referred House Bill No. 348, An act relating to salaries of the Strafford County Commissioners, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 380, An act to assure an adequate supply of proper milk.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 56, An act relative to the placing out of infants.

LETTER OF THANKS

The following letter was read by the Speaker:

Mr. O. V. Henderson, Speaker of the House of Representatives.

DEAR SIR:

Please accept my sincere thanks, and deep appreciation,

for the Resolutions which were forwarded by the Clerk of the House, and for the beautiful flowers, sent during my recent bereavement.

Very sincerely,

(Mrs. W. J.) RUBY CONANT ELSON,

May 6, 1937, Strafford, N. H.

EXPRESSION OF APPRECIATION

Mr. Matheson of Goffstown presented the following:

I wish to express to the House my own personal thanks, and the deep appreciation of my wife for the beautiful flowers and expressions of sympathy you sent to me during my recent illness. I am sure they were a great comfort to me, and helped me to a speedy recovery.

RESOLUTION

Mr. King of Walpole offered the following:

Whereas, this House has learned with sorrow of the death of a former member of the House and Senate, Clarence W. Houghton of Walpole.

Be It Resolved, that the Speaker appoint a committee of three to draw up Resolutions to be presented to the bereaved family.

The Speaker appointed as members of such committee, Messrs. King of Walpole, Estabrook of Alstead, and Britton of Westmoreland.

PERSONAL PRIVILEGE

Mr. Grimes of Dover rose to a question of personal privilege and made the following statement:

When the vote was taken yesterday on the 48-hour bill, it was impossible for me to be present. However, if I had been present I would have voted as I always have voted on labor bills in favor of the passage of the bill.

On motion of Mr. Hunter of Hanover at 11:48 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended, and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 102, An act relating to suspension of motor vehicle licenses.

House Bill No. 461, An act to name the highway from Winchester to Rindge.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Read a third time.

The question being,

Shall the bill pass?

Mr. Baker of Concord moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The bill was then passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 462, An act relating to bridges on trunk lines and state aided highways.

Read a third time.

The question being:

Shall the bill pass?

Mr. Graham of Canaan moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Graham.

(Discussion ensued)

Mr. Graham of Canaan spoke in favor of the motion. Messrs. Winslow of Nashua, Hoyt of Sandwich and Wadleigh of Milford spoke against the motion.

Mr. Graham withdrew his motion.

On motion of Mr. Graham of Canaan the bill was laid upon the table and made a special order for Tuesday, May 18, at 11:01 o'clock.

NOTICE OF RECONSIDERATION

Mr. Baker of Concord gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House passed Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

RESOLUTIONS

On motion of Mr. Wadleigh of Milford.

Resolved, that the Clerk be instructed to procure 200 additional copies of House Bill No's, 463, 464, 465, 466 and 467.

Mr. King of Walpole presented the following:

RESOLUTIONS ON THE DEATH OF
CLARENCE W. HOUGHTON

Whereas, Our Heavenly Father has called home our friend, Clarence W. Houghton of Walpole, former Senator and Representative,

Be It Resolved, that we, the members of the New Hamp-

shire House of Representatives, attest our appreciation of his loyal citizenship; his record of devoted and faithful public service during past sessions of the New Hampshire General Court.

Resolved, that this sentiment be printed in our Journal, and that a copy be sent to the family with the assurance of our sincere sympathy with them in their bereavement.

WILLIAM J. KING,
HENRY L. ESTABROOK,
GLENN BRITTON,
Committee on Resolutions.

The resolutions were unanimously adopted by a rising vote.

On motion of Mrs. Rix of Shelburne at 3:20 o'clock the House adjourned.

THURSDAY, MAY 13, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Tilton and Saltmarsh of Concord, Tilton of Ward 4, Laconia, Marston of Rye, Tenney of Chester, and Hoyt of Laconia were granted leaves of absence for the day on account of important business.

Mr. Wylie of Concord was granted leave of absence for the day on account of official business.

RESOLUTION

On motion of Mr. Callahan of Keene.

Resolved, that when the House adjourns today it be to meet tomorrow morning at 9:00 o'clock, and that when it then adjourns it adjourns to meet on Monday evening at 6:00 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 380, An act to assure an adequate supply of proper milk.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 37, Joint resolution appropriating money to rehabilitate the highway funds, reported the same under Joint Rule No. 6, with the following amendments, and the recommendation that the resolution as amended ought to pass.

Amend said resolution so that it shall hereafter be known as House Bill No. 468, An act appropriating money to rehabilitate the highway fund.

Further amend by striking out the word "resolved" and inserting in place thereof the words, Be it enacted.

Further amend by striking out the last two sentences in the paragraph numbered 1 and inserting in place thereof the following:

The proceeds of the sale of such bonds and notes shall be paid into the general funds of the state to rehabilitate said funds for the expenditures provided for by section 1.

On motion of Mr. Sawyer of Woodstock, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills. to whom was referred Senate Bill No. 29, An act relating to building and loan associations, reported the same under Joint Rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "both" in the eighteenth line.

Amend section 2 of said bill by striking out the word "adjustment" in the seventh line and inserting in place thereof the word, distribution.

On motion of Mr. Sawyer of Woodstock, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 55, An act authorizing towns and cities to adopt rural land-use zoning ordinances, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 446, An act to establish North River Pond Precinct in the towns of Barrington, Northwood and Nottingham, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 213, An act relating to an extended use of 1937, 1938 and 1939 number plates on motor vehicles, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by Senate Bill No. 10.

The report was accepted and the resolution of the committee adopted.

Mr. Callahan of Keene for the Committee on Ways and

Means, to whom was referred House Bill No. 61, An act relating to transfer credits for motor vehicle permit fees. reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ball of Hopkinton for the Committee on Ways and Means, to whom was referred House Bill No. 460, An act relating to the taxation of aircraft, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hepworth of Derry for the Committee on Ways and Means, to whom was referred House Bill No. 304, An act providing for old age pensions and means of defraying the expense thereof, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

SENATE BILL READ AND REFERRED

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

The bill was read a first and second time.

On motion of Mr. Syphers of Greenland the rules were suspended, the printing of the bill and its reference to a committee dispensed with, and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord, business in order at 3:00 o'clock was made in order at the present time.

On motion of Mr. Willis of Gorham at 11:23 o'clock the House adjourned.

FRIDAY, MAY 14, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, May 14, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, MAY 17, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Monday, May 17, 1937.

Mr. Philip Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, MAY 18, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Perkins of Holderness was granted leave of absence for the day on account of important business.

Mr. Syphers of Greenland was granted leave of absence for Wednesday, May 19, on account of important business.

Mr. Adams of Seabrook was granted leave of absence for the week on account of illness.

Mr. Fecteau of Epping was granted leave of absence for the week on account of the death of his father.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 91, An act changing the name of Pemigewasset pond to Pemigewasset lake.

Senate Bill No. 99, An act relative to the Hedding Camp Meeting Association.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 73, (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the state house, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 94, An act changing the name of Gorham pond to Lake Gorham, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 52, (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing, reported the same with the recommendation that the bill in its new draft ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 125, (in new draft), An act relating to appraisal of taxable property, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judi-

ciary, to whom was referred House Resolution, Resolution relating to Constitutional Government Day, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 29, An act relating to an extended use of licenses to operate motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate; subject matter covered by Senate Bill No. 10.

The report was accepted and the resolution of the committee adopted.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 161 (in second new draft), An act creating a retirement system, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 by striking out the whole thereof and inserting in place thereof the following:

3. *Teachers' Retirement Board.* The administration of the retirement system hereby created is hereby vested in a board to be known as the teachers' retirement board consisting of five members as follows: The bank commissioner, the commissioner of education, the state treasurer, and two members appointed by the Governor and Council in the manner hereinafter provided. The members of said association shall select from their number six persons from whom the Governor and Council shall appoint the two members hereinbefore referred to. One of said members shall serve for two years and the other shall serve for one year; and thereafter the members of the retirement association shall nominate annually from their number, in a manner approved by the retirement board, three persons from whom the Governor and Council shall appoint one to serve

upon said board for the term of two years. Until the organization of the retirement association and the appointment of two members thereof to membership on the retirement board, the preliminary board is hereby empowered to perform all the duties of said retirement board. When a vacancy occurs in the retirement board by reason of death, resignation or inability to serve, of either of the members appointed by the Governor and Council, such vacancy shall be filled by the Governor and Council by the appointment of a member of the retirement association, to serve for such unexpired term. The members of the retirement board shall serve without compensation, but shall be reimbursed for actual and necessary travelling and other expenses and disbursements incurred or made by them in the discharge of their official duties.

Further amend by adding at the end of section 8, subsection 3, the following new sentence: Nor shall the total payments made by the state in any one year together with any administrative expenses, exceed the sum of twenty-five thousand dollars appropriated in this act. so that said subsection 3 as amended shall read as follows:

(3) The retirement board shall deposit annually in the annuity fund from the money paid to it by the State an amount equal to the annual payment of each member of the association, but not exceeding one hundred dollars for any such member; provided, however, that said board shall not deposit to the credit of any one member more than thirty such payments from the money paid to said board by the State. Nor shall the total payments made by the state in any one year together with any administrative expenses, exceed the sum of twenty-five thousand dollars appropriated in this act.

The report was accepted.

The undersigned, a minority of the Committee on Education, to whom was referred House Bill No. 161 (in second new draft), An act creating a retirement system, being

unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

PAUL A. MORAN,
JULIUS H. FIRMIN,
A Minority of the Committee.

Mr. Moran of Nashua moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Moran of Nashua spoke in favor of the motion. Mrs. Smith of New Hampton and Messrs. Wylie of Concord, Callahan of Keene, and Wiggin of Tamworth spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Moran of Nashua asked for a division.

A division being taken 58 members voted in the affirmative and 208 members voted in the negative and the motion to substitute did not prevail.

The question being on the amendments reported by the committee.

On a *viva voce* vote the amendments were adopted.

The bill was then referred to the Committee on Appropriations under the rules.

SPECIAL ORDER

Mr. Graham of Canaan called for the special House Bill No. 462, An act relating to bridges on trunk lines and state aid highway.

The question being:

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

RECONSIDERATION

Mr. Baker of Concord moved that the vote whereby the House passed Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine be reconsidered and that the bill be put back upon its second reading and be recommitted to the Committee on Revision of the Statutes.

The question being on the motion of Mr. Baker.

(Discussion ensued)

Mr. Baker of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the follow-ign Senate Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 10, An act relating to an extended use of number plates on motor vehicles, trailers, semi-trailers and tractors.

Amend said bill by adding in section 3 after the figure "1929" the following: and by chapter 76 of the Laws of 1937.

Further amend said bill by inserting after section 5 the following new section:

6. *Registration.* Amend paragraph VI of section 1 of chapter 102 of the Public Laws by striking out the word "September" and inserting in place thereof the word December, and by striking out the word "December" and inserting in place thereof the word, March, so that said paragraph as amended shall read as follows:

VI. For every motor vehicle owned by a non-resident who applies for registration under the provisions of chapter 100, section 26, and for every motor vehicle during the

period beginning December first and ending March thirty-first in any year, one half of the foregoing fees; provided, that if such motor vehicle owned by a non-resident of this state is used, or is intended to be used for hire, the commissioner shall collect the full fee according to the rated weight and class herein provided.

Further amend said bill by renumbering sections 6, 7, 8, 9 and 10 to read 7, 8, 9, 10 and 11, respectively.

On a *viva voce* vote the amendments were adopted and the bill sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness.

Amend the joint resolution by inserting in the tenth line, after the word "be" the following: in full settlement of said claim and; so that said joint resolution as amended will read:

That the sum of one thousand and fourteen dollars ($1,014) be and hereby is appropriated to reimburse the Town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state aid road in Holderness June 22, 1933. Said sum shall be in full settlement of said claim and a charge upon the highway funds.

On motion of Mr. Barnard of Manchester, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

Amend the joint resolution by striking out all after the word "Waterville" in the tenth line and substituting there-

for the following: Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the town of Thornton, to be expended as follows: four hundred dollars ($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth; said sums herein appropriated shall be a charge upon the highway funds; so that said joint resolution as amended will read:

That the sum of twenty-four hundred eighty dollars ($2,480.00) be and the same is hereby appropriated to Plymouth Guaranty Savings Banks, in trust nevertheless for the purpose of investing and reinvesting the same and paying weekly from said principal sum and the interest accumulated thereon six dollars ($6.00) to Minnie Dolloff and four dollars ($4.00) to Donna Dolloff, her daughter, both of Thornton; the appropriation hereby granted be a settlement in full for the death of Edwin Dolloff of the town of Thornton who died as a result of an accident while building a state aid road in the town of Waterville. Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the town of Thornton, to be expended as follows: four hundred dollars ($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth. Said sums herein appropriated shall be a charge upon the highway funds.

On motion of Mr. Houston of Thornton the amendment was laid upon the table.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing.

Amend the resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of thirty-two dollars ($32.00) be and hereby is appropriated to compensate Herbert Downing of the town of Thornton for accidental injuries suffered while

building a state aid road in the town of Waterville, provided the sum of six dollars and forty cents ($6.40) is paid by the town of Waterville. An additional sum of eleven dollars and sixty-seven cents ($11.67) is likewise appropriated to be paid to Dr. H. A. Cheney of Campton, said bill having been contracted by said Herbert Downing in said accident, provided the sum of two dollars and thirty-three cents ($2.33) is paid by the town of Waterville. Said sums hereinbefore appropriated shall be in full settlement of claim by said Herbert Downing for injuries received in said accident and shall be a charge upon the highway funds.

On motion of Mr. Houston of Thornton the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State of be engrossed.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 281, An act to create a State Board of Accountancy.

Amend section 2 of the bill by striking out the last two lines thereof and inserting in place thereof the following: "Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum" so that said section as amended shall read as follows:

2. *Board of Accountancy.* There is hereby created a board of accountancy to consist of three members to be appointed by the Governor with the advice and consent of the Council, all of whom shall be holders of certificates issued under the provisions of this chapter or under the provisions of chapter 127 of the Laws of 1921 heretofore

known as chapter 270 of the Public Laws. Members of the Board must have held certificates as Certified Public Accountants from the State of New Hampshire for a period of at least five years immediately preceding their appointment.

At least two members of the Board shall be actively engaged in the practice of public accounting at the time of their appointment.

Those first appointed shall hold office, one for one year, one for two years, and one for three years and until their successors are appointed and qualified, the term of each to be designated by the Governor and Council in each appointment. Their successors shall be appointed for terms of three years and until their successors are appointed and qualified. No person shall be appointed to serve more than two consecutive terms. Vacancies occurring in the board may be filled by the Governor with the advice and consent of the Council by appointment for the unexpired term. The Governor may, with the advice and consent of the Council, after hearing, remove any member of the board for neglect of duty or other just cause. The board shall organize by the election of a chairman and a secretary-treasurer and may make all rules and regulations necessary to carry into effect the purposes of this act. A majority of members acting as a board shall constitute a quorum for the transaction of business. The board shall have a seal which shall be judicially noticed. The board shall keep a record of all the proceedings and actions by and before the board, and in any proceeding in a court a certificate under the seal of the board shall be *prima facie* evidence of any proceeding or action by or before the board stated in said certificate. Members of the Board shall be compensated in the amount of five dollars per day for each day actually engaged in the duties of the office. In addition the Secretary-Treasurer shall be compensated in the amount of fifty dollars ($50) per annum,

Further amend the bill by striking out in line 2, section

9 the words, "six months," and inserting in place thereof the words, "one month," so that said section as amended shall read as follows:

9. *Neglect.* The name of any Certified Public Accountant, who fails to register within one month of the annual date of his admission to practice in this state shall be dropped from the records of the board and his certificate, as a certified public accountant, shall be forfeited, provided, however, that the board of accountancy may have the power to re-instate said certificate upon receipt of application and due consideration of the circumstances in connection with the case.

On motion of Mr. Garland of Dover, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Authority.* The town of Stewartstown is hereby authorized to issue its serial notes or bonds to an amount not exceeding eighty thousand dollars ($80,000) for the purpose of paying outstanding notes and indebtedness of the town. Said serial notes or bonds shall be signed by the selectmen, or a majority thereof, and countersigned by the treasurer.

2. *Terms.* Said issue of notes or bonds shall be due and payable at such times not more than twenty years from the date of issue and in such amounts and in such manner as the board of selectmen and treasurer of said town shall determine and at a rate of interest to be fixed by said board.

3. *Proceedings Legalized.* The proceedings of the annual town meeting held in said Stewartstown on March 9, 1937, and the proceedings of the special town meeting held

in said town on May 11, 1937, so far as they relate to the appropriations for the purposes set forth in section 1 and the issuance of notes or bonds in pursuance thereof are hereby legalized, ratified and confirmed, and made as effective as if such proceedings were taken after the passage of this act.

4. *Application of General Law.* Except as otherwise provided in this act, the provisions of chapter 59 of the Public Laws shall apply to the said notes or bonds hereby authorized.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Fuller of Stewartstown, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mrs. Dondero of Portsmouth at 12:32 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended, and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 125, An act relating to appraisal of taxable property.

House Joint Resolution No. 73, (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the State House.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 94, An act changing the name of Gorham pond to Lake Gorham.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Dugas of Berlin at 3:05 o'clock the House adjourned.

WEDNESDAY, MAY 19, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses, reported the same, under Joint Rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 11 by adding at the end thereof the following:

Except sections 3, 4 and 6, which shall take effect September 1, 1937.

The report was accepted.

On motion of Mr. Barnard of Manchester the amendments were adopted.

Mr. Tierney of Weare for the Committee on Revision of the Statutes, to whom was referred House Bill No. 371, An act relating to licensing of auctioneers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend section 64 of the Laws of 1929, by adding the following new sections:

1-a. The fee for a license wherein the applicant does not

maintain an establishment shall be ten dollars, which shall accompany the application therefor; Non-residents may be licensed as auctioneers on the payment of a similar fee, provided the state or country of their residence grants like privileges to residents of this state.

1-b. Non-resident auctioneers licensed hereunder shall hold auctions in this state only under the flag of a licensed resident auctioneer.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Estler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 471, An act changing the name of Long pond to Lake Winnetaucook, with the recommendation that the bill be referred to the Committee on Judiciary.

The bill was read a first and second time.

On motion of Mr. Baker of Concord the rules were suspended, the printing of the bill and its reference to a

committee dispensed with, and the bill made in order for its third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

The Committee on Revision of the Statutes, to whom was referred House Bill No. 308, An act relating to motor vehicle transfer credits, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter covered by Senate Bill No. 10.

The report was accepted and the resolution of the committee adopted.

Mr. Cartier of Rochester for the special committee consisting of the delegation from the city of Rochester, to whom was referred House Bill No. 317, An act relating to the charter of the city of Rochester, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the word "eighteen" in line 12 and inserting in place thereof the word, twelve, so that said section as amended shall read as follows:

3. *Mayor.* The mayor shall be chosen annually, and shall have a negative upon all the actions of the council to which his veto power would extend had the city government herein constituted provided for a board of aldermen. He shall also preside in the meetings of the city council, but shall have no vote except in case of an equal division. Whenever the mayor shall be absent or disabled by sickness or otherwise, or whenever the office of mayor shall become vacant by death, resignation, or otherwise, the council may choose one of their numbers to be chairman, who shall have all the powers and perform all the duties of the mayor during his absence or disability, and in case of a vacancy until a mayor shall be elected and qualified to fill it. The mayor shall receive an annual

salary of twelve hundred dollars, to be paid him at stated periods out of the city treasury, and said salary shall be in full for services of every kind rendered by him in the discharge of all duties pertaining to his office. The mayor shall devote full time to his office.

Amend section 4 by striking out the word "two" in line 5 and inserting in its place the word, four, so that said section as amended shall read as follows:

4. *Councilmen.* At the first biennial election after the adoption of this act two councilmen shall be chosen by and from the qualified voters of each ward to serve, one for two years and one for four years, and at each biennial election thereafter one councilman shall be chosen by and from the qualified voters of each ward to serve for the term of four years.

Further amend said bill by adding a new section 5 to read as follows:

5. *Members of School Board.* At the first biennial election after the adoption of this act one member of the school board shall be chosen by and from the qualified voters of each ward to serve for two years and at each biennial election thereafter one member of the school board shall be chosen by and from the qualified voters of each ward to serve for a term of two years.

The report was accepted.

Mr. Dickinson of Rochester offered the following amendment to the amendment:

Amend section 3 of the amendment by striking out in the second line thereof the word "annually" and inserting in place thereof the word "biennially."

On a *viva voce* vote the amendment was adopted.

The amendment as amended was then adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk an-

nounced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 29, An act relating to building and loan associations.

House Bill No. 468, An act appropriating money to rehabilitate the highway fund.

RESOLUTIONS

Mr. Dickinson of Danville offered the following resolution:

Resolved, That a petition be presented to our two United States Senators that it is the wish of this General Court that they should notify the Veterans' Bureau to the effect that it is our desire that the full facilities of the Portsmouth Naval Hospital be utilized for the benefit of sick and disabled veterans of New Hampshire, rather than sending them to other states as is now being done, except in cases of emergency.

On a *viva voce* vote the resolution was adopted.

The Speaker named as members of the committee to draw up the petition Messrs. Dickinson of Danville, Davis of Ashland, Estabrook of Alstead, Tierney of Weare, and Mrs. Dondero of Portsmouth.

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, The House of Representatives has learned with sorrow of the death of Placide Fecteau, father of Thomas W. Fecteau, member of the House from Epping,

Therefore Be It Resolved, That the Speaker appoint a committee of five to draw up suitable resolutions.

The resolution was unanimously adopted by a rising vote.

The Speaker named as members of such Committee Mrs. Dondero of Portsmouth, Messrs. Havican of Brentwood, Beede of Fremont, Caldwell of Rye and Tozier of Exeter

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 317, An act relating to the charter of the city of Rochester.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 371, An act relating to licensing of auctioneers.

Read a third time.

The question being,

Shall the bill pass?

On motion of Mr. Perley of Lebanon the bill was laid upon the table to be taken up Tuesday, May 25, in regular order.

On motion of Mr. Jones of Lebanon at 11:45 o'clock the House adjourned.

THURSDAY, MAY 20, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mrs. Smith of New Hampton was granted leave of absence for the day on account of important business.

Mrs. Brungot of Berlin was granted leave of absence for the remainder of the week on account of important business.

Messrs. Russell of Bartlett and Downs of Conway were granted leave of absence for the day on account of important business.

RESOLUTION

On motion of Mr. Callahan of Keene:

Resolved, That when the House adjourns this morning it be to meet Friday morning at 9:00 o'clock and that when it then adjourns it adjourns to meet Monday morning at 11:00 o'clock.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock, for the Committee on Engrossed Bills, reported that the Committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 29, An act relating to building and loan associations.

House Bill No. 468, An act appropriating money to rehabilitate the highway fund.

House Bill No. 455, An act authorizing the Orford School District in the town of Orford to issue notes or bonds for the remodeling of a school building.

The report was accepted.

Mrs. Dondero of Portsmouth, for the Committee on Industrial School, to whom was referred House Bill No. 322, An act providing for a school building at the State Industrial School, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 434 (in new draft), An act relating to the practice of pharmacy and the sale of drugs, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Public Health.

Mr. Ahern of Concord, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Cummings of Lyndeborough the rules were suspended and the printing of the joint resolution dispensed with.

The joint resolution was then referred to the Committee on Appropriations.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an increase in county taxes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Etsler of Claremont, for the Committee on Rules, reported the following entitled bill, House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the printing of the bill dispensed with.

The bill was referred to the Committee on Judiciary.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 255, An act relative to pedestrians, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, with the recommendation that the opinion of the Assistant Attorney General, as submitted to the Judiciary Committee, be printed in the journal.

The report was accepted.

The following opinion was read:

The Judiciary Committee,
HOUSE OF REPRESENTATIVES,
Concord, New Hampshire.

Gentlemen:

You ask if it is lawful for a pedestrian to walk on the left-hand side of a highway facing traffic.

Public Laws, chapter 90, section 1, requiring highway travelers to keep to the right applies only to vehicles. *Praded* v. *Magowan,* 88 N. H. ————. The question of where the pedestrian should travel is one to be determined by the dictates of ordinary prudence. In *Burns* v. *Cote,* 86 N. H. 168; 87 N. H. 74, the plaintiff was a pedestrian walking on the left-hand side of the road when he was struck by a vehicle coming toward him. The court said that the mere fact that the plaintiff was walking on the left-hand side of the road did not preclude recovery. The court has more recently said that a pedestrian is not guilty of contributory negligence as a matter of law merely because he was walking along the road or stood near its edge as cars passed. *Dorrien* v. *Sirois,* 87 N. H. 144.

Therefore, it is my opinion that it is lawful for pedestrians to travel on the left-hand side of a highway.

Very truly yours,

DUDLEY ORR,

Assistant Attorney General.

On a *viva voce* vote the resolution of the Committee was adopted.

Mrs. Dondero of Portsmouth, for the Committee on Industrial School, to whom was referred House Bill No. 318, An act providing for a boiler plant and shops at the State Industrial School, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Industrial School, to whom was referred House Bill No. 329, An act providing for the remodelling of River View dormitory at the State Industrial School, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bailey of Haverhill, for the Committee on Liquor Laws, to whom was referred Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Cummings of Peterborough moved that the bill and report be laid upon the table.

On a *viva voce* vote the motion prevailed.

Mr. Cummings of Peterborough asked for a division.

A division being taken the vote was declared by the Speaker to be manifestly in the affirmative.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 234, An act relative to taking suckers.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

House Bill No. 395, An act relative to clerk hire in the Probate Office of Hillsborough County.

House Bill No. 455, An act authorizing the Orford School District in the Town of Orford to issue notes or bonds for the remodeling of a school building.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the Secretary of State.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 6, An act relating to taking of raccoon.

Amend section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

1. *Open Season.* Amend section 3 of chapter 200 of the Public Laws, as inserted by section 4, chapter 124, Laws of 1935, by striking out the word "January" in the fourth line and inserting in place thereof the word, December, so that said section as amended shall read as follows: 3. *Raccoons.* Raccoons may be taken and possessed in all the counties of the state, with the aid or by the use of a dog and gun from October first to December first, and by the use of traps from November first to December 15th. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre long, nor a pistol or revolver larger than thirty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

On motion of Mrs. Charois of Greenville the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Mrs. Charois of Greenville, Messrs. Adams of Seabrook and Dubois of Swanzey.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

SENATE BILL READ AND REFERRED

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

The bill was read a first and second time and referred to the Committee on Towns and Counties.

TAKEN FROM THE TABLE

On motion of Mr. Sanderson of Pittsfield, House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others was taken from the table.,

The question being on the amendment sent down from the Honorable Senate.

On motion of Mr. Sanderson of Pittsfield the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Sanderson of Pittsfield, Estabrook of Newton, and Magoon of Littleton.

On motion of Mr. Baker at 11:40 o'clock the House adjourned.

FRIDAY, MAY 21, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, May 21, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, MAY 24, 1937.

The House met at 11:00 o'clock.

On motion of Mr. McDonough of Dover at 11:02 o'clock the House adjourned.

TUESDAY, MAY 25, 1937

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

LEAVES OF ABSENCE

Messrs. Danforth of Acworth and McReel of Exeter were granted leaves of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found

correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 94, An act changing the name of Gorham pond to Lake Gorham.

House Bill No. 237, An act relating to damage to fruit trees by protected game.

House Bill No. 395, An act relative to clerk hire in the probate office of Hillsborough county.

House Bill No. 451, An act authorizing the town of Stewartstown to issue refunding bonds.

House Joint Resolution No. 78, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 122, Joint resolution in favor of Herbert Downing and others.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred House Bill No. 281, An act to create a state board of accountancy, reported the same under Joint Rule No. 6, with the following amendments and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *New Chapter.* Amend chapter 270 of the Public Laws by striking out all of said chapter and inserting in place thereof the following:

CHAPTER 270

PUBLIC ACCOUNTANCY

Amend the paragraph entitled "definition" by adding at the end thereof the words: or who, at the time of the passage of this chapter, was legally registered as a public accountant.

Amend the paragraph numbered 6 by striking out the words "any such" in the third line and inserting in place

thereof the word, the; and by striking out the words "issued under this act" in the thirteenth and fourteenth lines.

Amend the paragraph numbered 5 by striking out in the first line the words "in this act" and inserting in place thereof the word, herein.

Amend the paragraphs numbered 3 and 5 by striking out the word "act" where it occurs therein and inserting in place thereof the word, chapter.

Amend the paragraph numbered 8 by striking out the first sentence thereof and inserting in place thereof the following new sentences:

All such certified public accountants shall practice in this state for one year after admission thereto. Annually, each certified public accountant shall register at the office of the board of accountancy giving his then residence and place of business and such other information as the board may require. The annual fee for such registration shall be five dollars, to be paid to said board. Said board shall thereupon file a duplicate of the registration in the office of the secretary of state. Said accountant shall be entitled to a certificate from said board setting forth the fact of the annual registration, payment of the fee and recording thereof.

Amend the paragraphs numbered 10 and 11 by striking out the words, where they occur therein, "punished by a fine not to exceed" and inserting in place thereof the words, fined not exceeding; further amend said paragraphs by striking out the words "by imprisonment" and inserting in place thereof the words, be imprisoned.

On motion of Mr. Garland of Dover the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 474, An

act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred House Bill No. 264, in second new draft, An act to regulate the practice of barbering, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Pillsbury of Derry moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Pillsbury.

(Discussion ensued)

Messrs. Pillsbury of Derry, Remick of Bristol and Perley of Lebanon spoke in favor of the motion., Messrs. Kelley of Newport, Noel of Nashua, and Saltmarsh of Concord spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Soucy of Manchester asked for a division.

A division being taken, 166 members voted in the affirmative and 145 members voted in the negative and the motion prevailed.

Mr. Dupont of Pembroke demanded the yeas and nays, and the roll was called with the following result:

YEAS, 150

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Fogg of Deerfield, Abbott of Derry, Hepworth, Pillsbury, Tozier, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Turcotte of Newmarket, Estabrook of Newton, Mudge, Fernald, Palmer of Plaistow, Cogan, Gile, Marston, Browne, Butterfield of Windham.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Garland, Durnin, Blanchard, Jenkins, Dustin, Dickinson of Rochester, Varney, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, O'Shan, Hoyt of Laconia, Tilton of Ward 4, Laconia, Sanders, O'Shea.

CARROLL COUNTY: Mudgett, Banfield, Winkley, Hoyt of Sandwich, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Brown of Bow, Rivet, Brunel of Concord, Maxham, Nutter of Epsom, Piper, Lemire, Mitchell, Ball, Perkins of Pittsfield, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Chase, Greer, Knowlton of Manchester, Gage, Johnson of Manchester, Kimball, Betley, Maker, Frost, Winslow of Nashua, Berube, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Tuttle of Temple, Tierney.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Despres, Callahan, Graves, Knowlton of Keene, Jones of Keene, Gates, Rice, Woodbury of Sullivan, Crane, Granger, Barrett of Troy, King, Relihan, Horner.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Etsler, Gaffney, Quimby, Johnson of Cornish, Brigham, Cummings of Newport, Rogers, Osborne, Cram.

GRAFTON COUNTY: Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Lanyon, Tuxbury, Perkins of Holderness, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Sliney, Madden, Jones of Monroe, Lufkin, Howard, Merrill of Plymouth, Houston, Hutchins of Wentworth.

COOS COUNTY: Barden, Collette, Palmer of Berlin, Bixby, Dugas, Dutil, Seymour, Felton, Dickson of Colebrook, Cryan, Marshall, Judd, Whitcher.

NAYS, 192

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dickinson of Danville, Fecteau, Merrill of Exeter, Beede, Syphers, Pridham, Rousseau, Knowles, Barrett of Portsmouth, Dondero, Kittredge, Foote, Gray, Pray, Yeaton, Canty, Badger, Finnigan, Manor, Peever, Jewell.

STRAFFORD COUNTY: Atwood, McCooey, Lucas, McDonough, Richards, Caldwell, Whitehouse, Longley, Colby, Cartier.

BELKNAP COUNTY: Edgerly, Normandin, Tilton of Ward 3, Laconia, Cantin, Dickson of Laconia, Newell, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Quint, Head, Huntress, Wiggin, Sanborn, Carpenter.

MERRIMACK COUNTY: Carter, Coakley, Stearns of Concord, Kemp, Baker, Mansur, Butterfield of Concord, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Matson, Wiley, Sharaf, Ahern, Carignan, Dempsey, Douphinett, Rowe, Fowler, Lovely, Carr, Dupont, Sanderson.

HILLSBOROUGH COUNTY: Charois, Cummings of Lyndeborough, Daniels, Barnard, Woodbury of Manchester, Casey, Dwyer, Talty, Clougherty, Corey, Sullivan of Ward 4, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan, Ward 6, Manchester, Farrell, Fitzgerald, Gorham, Hanley, Horan, Bouthiette, Chevrette, Constant, Farland, Walsh, Lareau, Gallagaher, Gaudreault, Van Vliet, Cullen, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Foster, Wadleigh, Atherton, Cooper, James, Armington, Duclos, Bernard, Vigneault, Drumm, Sullivan of Nashua, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Poney, Hafeli, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Robertson, Olson, Hilton, Spaulding, Duffy, Roche, Hemenway, Tolman, Dubois of Swanzey.

SULLIVAN COUNTY: Hutchins of Charlestown, Hosking, Howe, Putnam of Claremont, Sheehan, Thomas, Fairbanks, Kelly of Newport, Kempton.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Brunelle of Haverhill, Smith of Haverhill, Jones of Lebanon, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Bell, Taylor, Dreghorn, Sawyer of Woodstock.

COOS COUNTY: Mason, Henderson of Berlin, Montminy, Studd, Brungot, Ramsey of Berlin, Myler, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Parker, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Rix, Brown of Stratford.

And the motion did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

TAKEN FROM THE TABLE

House Bill No. 371, An act relating to the licensing of auctioneers.

The question being,

Shall the bill pass?

Mr. Pulsifer of Campton moved that the bill be put back upon its second reading.

On a *viva voce* vote the motion did not prevail.

The question being,

Shall the bill pass?

On a *viva voce* vote the negative prevailed.

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of land, easements and rights of way essential for

flood control purposes and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

Mr. Ahern of Concord, for the Committee on Rules reported the following entitled bill, House Bill No. 476, An act ratifying a proposed agreement of compact between the state of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact, with the recommendation that the bill be referred to the Committee on Judiciary.

On motion of Mr. Etsler of Claremont the rules were suspended and House Bills No. 475 and 476 were referred to a joint committee consisting of the Committee on Appropriations and Committee on Judiciary.

On motion of Mr. Etsler of Claremont the clerk was instructed to procure 200 additional copies of House Bill Nos. 475 and 476.

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Etsler of Claremont, for the Committee on Rules, reported the following entitled bill, House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

With the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

With the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Acting chairman of the Committee on Appropriations Harris H. Rice of Rindge gave the following statement:

Mr. Speaker:

In submitting the budget bills, carrying recommended appropriations for the state institutions and departments for the next two years, the appropriations committee desires to make a general statement in explanation of its work and decisions.

The budget bills as submitted recommend total appropriations of $4,008,093. for the fiscal year ending June 30, 1938, and of $4,258,533. for the fiscal year ending June 30, 1939. These amounts represent increases of $450,728. for the first and $424,201. for the second of the two years in the biennial period as compared to the appropriations for each of the two years made by the legislature of 1935. They are, however, $193,597. less than requested by departments and institutions for the first year and $175,685 less than requested for the second year of the biennial period.

The totals are very close to the level indicated as reasonable by His Excellency, the Governor, in his budget message delivered February 11, 1937, in which he placed a desirable total at not more than the 1937 total of $3,834,000. These recommendations, therefore, are only $174,000. more per year than recommended by the governor, exclusive of the legislature in the second year.

The principal budget increases which apply to both years in the biennial period are:

Restoration of the 5% salary reduction for state officers and employees receiving more than $1,500 a year	$66,000.00
Increases in appropriations to avoid future operating deficits (chiefly the state hospital) based on the averaged total for the last two years	75,000.00
Restoration of the statutory appropriation under the millage law for the University of New Hampshire	88,000.00
Total	$229,000.00

An additional item, applicable to the second year of the biennial period only, is an increase of $70,000. in the appropriation for the legislature.

The balance represents the normal increase in appropriations necessary in view of the greater needs of the state. In the case of the institutions, where the greater increases occur, and taking the group as a whole, the needs arise from larger inmate populations and efficient operation and maintenance of additional institutional buildings and equipment.

Restoration of the policy of granting nominal increases of $50. a year to the classified employees of the state, those in the lower salaried groups, accounts for another but smaller portion of the increases.

From the beginning the appropriations committee has taken the position that if possible to do so it would not recommend any appropriations so low as to invite probable deficits at the conclusion of either one of the two fiscal years. It will probably never be possible to accurately forecast the complete financial operations of the state government for two years in advance in every particular. But the budget bills as recommended anticipate no deficits for any department and institution which can be foreseen at the present time. This contrasts with the present situation

under which total deficits including the cost of the legislature above the appropriation may exceed $200,000. for the two year period ending next June 30.

The estimated deficits for the several departments for which additional appropriations are asked in a bill now pending before the committee covering the last and the present fiscal year total $150,000. Restoration of these approximate amounts is another general influence contributing to the increased totals in appropriations recommended by the committee.

Two years ago the expenses of the legislature for the regular session approximated $265,000. For the current session the legislature of 1935 appropriated $180,000. Expenditures through April 30, according to the comptroller's office, approximated $170,000. This would indicate the total cost of the current session will go well above $200,000. and may approach the cost of two years ago. Considering the complexity of problems of modern day legislatures the committee considered it possible that the cost of the next legislature will average out somewhere around the total of the last two sessions. The committee has therefore increased the legislative appropriation for the 1939 session by $70,000. to a total of $250,000. and this is another substantial element in the increases in recommended appropriations.

Another major item of increase in the budget is in the appropriation for the University of New Hampshire. This increase approximates $88,000 in addition to the restoration of salary cuts in each of the two years. The amount of the appropriation for this institution is fixed by statute under the so-called millage law. This institution voluntarily agreed to an arbitrary reduction in the statutory appropriation during the past four years and therefore relinquished to other state services a budget appropriation totalling $498,526. or an average of $124,000. a year. It seemed fair, therefore, that the institution be permitted this

year to have its legal appropriation and begin to accumulate once more small annual amounts toward a building fund which was anticipated when the millage law was enacted.

In considering budget appropriations importance of state participation in charitable and welfare activities for the aid and care of the unfortunate should not be overlooked. Appropriations for these services alone, including institutions, total $1,632,165. for the first and $1,632,284. for the second of the two years in the biennial period. These appropriations, therefore, account for slightly more than two-fifths of the total budget appropriations.

The other substantial grouping of expenditures is $1,014,431.10 for each of the two years for the University and the state board of education including in the latter's requirements for the normal schools at Plymouth and Keene.

Welfare and educational services of the state, therefore, account for two-thirds of the total budget appropriations as recommended. In other words, all other activities of the state account for only one-third of the budget appropriations.

Increase in other departments have been nominal and in our judgment are not more than sufficient to meet the actual needs of the state.

In the matter of relief the committee calls attention to the fact that a bill creating a new state relief system is pending in the senate. If enacted into law, this will require a budget appropriation under the plan of about $300,000 annually or practically the amount which would go to the welfare service now operated by the state. If no action is taken prior to June 30 the present state relief administration will automatically expire and the state will revert to the old board of charities and corrections. The committee is recommending an appropriation approximating $286,000. for welfare functions anticipating that this

amount may have to be corrected to conform to later legislation.

The budget bills as submitted would require a direct state tax of approximately $1,700,000. for the first and of approximately $1,900,000. for the second year in the biennial period. This takes into account some of the increased revenue estimated by the comptroller's office in the unrestricted revenues for the general funds of the state through which the budget appropriations are met.

Some revision will be necessary in these estimated amounts when consideration is given to the complete program of special appropriations and revenue legislation enacted by this legislature. That program is not yet complete and several important pieces of legislation carrying special appropriations are pending in both the house and the senate. The total special appropriations so far approved, however, are less than $25,000. for each of the two years.

In working out the budget bills the full membership of the committee has taken part in the discussions and decisions. There have been individual disagreements in some cases with allowed amounts. In some instances individuals would have granted more and in others less than were finally approved. But the whole budget recommendations carry the endorsement of the full committee on appropriations.

In effect, the committee has had at least three different budget programs under consideration at various phases of its work. First was the program submitted by the governor carrying the requests of the departments. Second, was the set of revised figures submitted by all institutions and departments in accordance with a letter from the committee asking all to reduce their requests to approximately the 1937 rate of expenditure. And finally, we have had the program now submitted which was constructed by the committee itself.

In considering the increased totals the committee desires to call attention to certain factors influencing the budget decisions. The governor has recommended, and the committee has approved, restoration of the salary reductions voted by preceding legislatures and which for the past two years has amounted to five percent for all state officers and employees reeciving salaries in excess of $1,500.

The committee has approved, and the budget bills carry, appropriations restoring the automatic salary increase for state employees in the so-called classified positions which are the employees in the lower salaries groups generally amounting to $50 a year per individual. In a very few cases, where the committee was satisfied that unusually meritorious service warranted the reward, slight increases in salary for other officers have been granted as a reward for faithful work and as a matter of encouragement for others.

The committee believes that it is just as important from the point of view of sound state finance to appropriate sufficient funds for the efficient management of state services as it is not to appropriate too much. It has held constantly in mind the policies of the executive in his desire to provide an efficient and economical state government.

It has co-operated with him in reduction of travel allowances in line with the expected savings due to the revised policy under which the supplying of state owned transportation is to be discontinued and employees reimbursed for the use of their private transportation while traveling on official state business.

The budget recommendations, therefore, represent the consolidated opinion of the full membership of your committee on appropriations.

The committee plans to submit shortly a supplementary budget which will carry the committee's recommendations for administrative and operation expenditures in the non-budget departments of the state, which we understand, is

anticipated if not actually required by law. Inasmuch as these budgets will have no direct bearing on direct taxation, as is the case with the regular budget, and in an effort to speed the final work of the session it was decided to submit these recommendations separately.

Pending before the appropriations committee at the present time are several bills requesting special appropriations for new buildings. It is the committee's intention to report these measures shortly in the form of a building program for the next two years. Such buildings as may be recommended should be financed by bond issues as they will constitute permanent improvements. They should be financed through the general sinking fund of the state which, as we understand, had for one of its objectives the creation of a special fund, which, over a period of years, would take care of the capital needs of the state without involving increases in the direct state tax.

There are also before the committee a number of bills carrying special appropriations. These will be acted upon as soon as the committee can reach them. It has deferred action in order to present the budget bills at this time.

The appropriation committee regrets that this statement cannot be made to the House by Chairman Ralph F. Seavey whose patient and painstaking leadership in the committee is appreciated by all of us. One of his last suggestions before leaving his active work for a needed rest was to suggest that a statement of this characer explaining the work of the committee and the reasons for its recommendations should be made to the House.

On motion of Mr. Sanderson of Pittsfield the statement was ordered printed in the journal.

RESOLUTION

Mr. McDonough of Dover offered the following resolution:

Resolved, That the Ways and Means Committee be or-

dered to report to this house not later than Tuesday, June 1, 1937, House Bill No. 387, An act establishing a property tax reduction fund and providing means to finance the same.

The question being on the resolution.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the resolution.

Mr. Sanborn of Wakefield, Dickinson of Danville, and Hunter of Hanover spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. McDonough of Dover asked for a division.

(Mr. Cummings of Peterborough in the Chair)

A division being taken 69 members voted in the affirmative and 211 members voted in the negative and the resolution was not adopted.

RESOLUTION

Mr. Sanderson of Pittsfield offered the following resolution:

Whereas, This House has learned with regret of the death of Mrs. Catherine Agnes Clark, mother of Mrs. Frances Clark Barnard, House Stenographer,

Resolved, That the Speaker appoint a committee of six to draw up suitable resolutions of sympathy.

The Speaker appointed as members of such Committee Messrs. Robert H. Sanderson of Pittsfield, Harris H. Rice of Rindge, Charles H. Barnard of Manchester, Ansel N. Sanborn of Wakefield, Leo L. Osborne of Sunapee, William J. Ahern of Concord.

The resolution was unanimously adopted by a rising vote.

MESSAGE FROM THE GOVERNOR

The following message was received from His Excellency, Governor Francis P. Murphy:

The General Court of New Hampshire:

I am transmitting to you today the text of a compact for the control of floods and for other purposes in the Merrimack River Valley which it is proposed shall be entered into by the Commonwealth of Massachusetts and the State of New Hampshire.

This compact was prepared by a committee representing the Interstate Compact Commission on Watersheds appointed almost a year ago by Governor H. Styles Bridges with the advice and consent of his Executive Council. It was submitted to me, together with a report by the committee summarizing the compact and the two flood control projects initially recommended.

From this report, a copy of which I am appending, it will be seen that under a plan, developed by the United States Engineers, for flood control in the Merrimack River basin, two reservoirs are proposed for construction, one at Franklin on the Pemigewasset River and one at Webster on the Blackwater River.

The total cost of these projects is estimated to be $7,511,000, of which the Federal Government will contribute $5,226,000, covering the cost of the dams and the appurtenant works. Of the balance, representing the cost of lands, easements and rights of way, Massachusetts and New Hampshire will each contribute 50 per cent. New Hampshire's share will approximate $1,142,500.

In addition to these capital costs, there will be maintenance and operating charges which it is estimated will cost the state about $24,000 annually, of which $10,000 will be expended tax reimbursement in towns affected.

This part of the general flood control program has for its objective the preventing of losses of life and property in the most populous and most highly industrialized section of the state where, only last year, appalling financial losses were sustained.

In addition to benefits of a strictly flood control character,

it will be possible to derive from the operation of these storage basins certain economic advantages by way of water conservation. In return for substantial increases in power, users of the river water may be expected to contribute materially toward the costs of maintaining and operating the reservoirs. Advantages to health and to recreational development will also result from an improvement of existing conditions of pollution.

This compact is already before the legislature in Massachusetts and it is my recommendation that it be ratified by New Hampshire. Measures creating a Merrimack River Valley Flood Control Commission, granting the powers which will be necessary, and providing ways and means whereby the flood control programs in both the Merrimack and the Connecticut River Valleys may be financed, have already been placed in the hands of the Rules Committee of the House.

FRANCIS P. MURPHY,
Governor.

May 25, 1937.

April 12, 1937.

His Excellency Francis P. Murphy,
Governor of New Hampshire,
Concord, New Hampshire,

DEAR GOVERNOR MURPHY:

The Governor and Council, assembled in Executive Session on May 28, 1936, appointed as members of the Interstate Compact Commission on Watersheds the members of the Water Resources Board, Dr. Charles Duncan, James M. Langley, Thomas P. Cheney and Nelson Lee Smith, and named John Jacobson, Jr., James M. Langley and Thomas P. Cheney to act as executive committee for that group. The executive committee, with Mr. Dudley Orr, assistant Attorney-General, acting for and in the place of Mr. Thomas P. Cheney, Attorney-General, and Mr. Richard S. Holmgren, Chief Engineer of the Water Resources Board

acting as engineering advisor, met with a like commission appointed by the Governor of the Commonwealth of Massachusetts, and have the honor to report that the negotiations resulted in a compact for the control of floods and other purposes on the Merrimack river, which compact is submitted herewith. The compact has the approval of the representatives of the two states and will be effective when ratified by the legislatures of New Hampshire and Massachusetts and approved by the Congress of the United States.

The National Flood Control act of 1936 established a policy for flood control projects in various sections of the United States, including the Merrimack river basin, to be prosecuted in the order of the necessity therefor through co-operation between the Federal Government and the states. Among other things, the act provides that the states will, (1) provide without cost to the United States all lands, easements, and rights of way necessary to the project, (2) hold and save the United States free from damages due to construction works, and (3) maintain and operate all works after completion in accordance with regulations prescribed by the Secretary of War. The Federal Government will, as their share, provide funds for the construction of the dam and appurtenant works. The act expressly provides for and approves the making of compacts or agreements between states for the effective control of floods upon rivers and their tributaries which lie in two or more states. The plan adopted is a portion of the plan recommended by the U. S. Engineers, known as the "Initial plan for Flood Control on the Merrimack River", and contemplates the construction of reservoirs upon two of the main tributaries of the Merrimack river in the State of New Hampshire, to be constructed by the United States upon assurances being given by the states that they will furnish the necessary lands, easements, and rights of way necessary thereto, the cost to be shared in the proportions determined by the compact. The compact also provides for the establishment of a commission to maintain and operate

the reservoirs, the costs of which shall also be contributed by the states.

There follows a summary of more important provisions of the compact:

The Administrative Provisions. The compact provides for the creation of the Merrimack River Valley Flood Control Commission, consisting of six commissioners, three to be chosen from each state. A majority of the members from each state constitute a quorum for the transaction of business, but no binding action may be taken unless at least two of the members from each state vote therefor. The lands, easements and rights of way necessary for the reservoirs are to be acquired by the State of New Hampshire at the request and expense of the Commission. The Commission as a body corporate and politic has power to take leases of the reservoirs and to receive from the states the funds necessary for the acquisition of lands, easements and rights of way and for the maintenance and operation of the reservoirs, including the tax reimbursements to the affected towns.

The Commission may make such studies as it may deem necessary, in co-operation with the War Department, for the development of a comprehensive plan of flood control in the Merrimack river basin, and from time to time report its findings and recommendations to the governors of the signatory states, but no additional reservoirs are to be constructed until they have received the approval of the legislature of the state in which such reservoirs are located.

The Commission shall annually report to the governor of each of the signatory states, setting forth in detail the operations and transactions conducted by it pursuant to the compact and any legislation thereunder.

The Flood Control Plan. The compact provides for the establishment in the Merrimack basin of an "Initial Plan for Flood Control" to consist of two reservoirs, one at Franklin on the Pemigewasset river and one at Webster

on the Blackwater river. These reservoirs will control approximately 22.5% of the total drainage basin, 29% of the basin at Nashua, 39% at Manchester and 47% at Concord. The reservoir at Webster on the Blackwater, at the option of the state, may be further developed for conservation or power purposes, on payment of the added cost of construction of the higher dam as well as the payment of additional land costs. The compact provides that, at the option of the state, the dam at this site shall be so designed and constructed as to provide for further development at some future time. The Franklin reservoir is designed primarily for flood control but will be so constructed as to permit the retaining of 50% of the capacity during the periods of low flood expectancy for conservation or recreational purposes at the option of the state. The reservoirs and appurtenant structures are to be tax exempt, being owned by the state, but the towns will be reimbursed annually for losses in taxes on the basis of the assessed value on the lands in 1936.

The Cost of Flood Control. The cost of lands, easements and rights of way necessary for the two reservoirs to be constructed under the compact is estimated at less than $2,285,000, a large item of which is the expense of relocating highways and transmission lines. This cost is to be contributed by the two states in proportions as follows:

The Commonwealth of Massachusetts 50%
The State of New Hampshire 50%

New Hampshire's share of the above cost will be not more than $1,142,500. The total cost of the two reservoirs is estimated to be $7,511,000, and will require three to four years to complete.

The expense of maintaining and operating the reservoirs is to be contributed by the states in like proportion. It is estimated that the annual cost to New Hampshire will not exceed $24,000 of which $10,000 will be in the form of reimbursement of taxes to the towns affected.

Benefits to New Hampshire of Flood Control. The United States Engineers, to determine the frequency and severity of floods, have examined all available data since the year 1852 as it relates to the Merrimack river basin. Careful studies have been made both in the field and in the office covering stream flow, precipitation, snowfall and run-off. The available data on the floods of 1927 and 1936 has been particularly valuable on which to base their estimates of damages and benefits. It is therefore reasonable to assume that their estimates are as near to accuracy as any estimate can be. They indicate that the actual reported losses in the controllable area below the proposed reservoirs in the 1936 flood were $21,134,669. Added to this should be a conservative estimate of unreported losses which increase the above figure to nearly $29,000,000. This figure is the result of a careful damage census of the entire overflowed area, and through the co-operation of federal, state and civic organizations. During the 1936 flood the per capita damage in New Hampshire was $21.90, or 0.81% of the taxable wealth. In Massachusetts the estimated damage was $6.25 per capita or 0.115% of the taxable wealth. Estimates have been made to determine what the losses would be during floods of varying stages and frequencies, in order to determine the average annual expectancy of damages and benefits. These studies indicate that the construction of the reservoirs embodied in the compact will afford an average annual saving of approximately $700,000 of which $426,000 would inure to the benefit of the State of New Hampshire.

The District office of the U. S. Engineers recommends the use of a portion of the two reservoirs, during a period of low flood expectancy, for conservation purposes. If this method of operation is approved by the Secretary of War there will be afforded the industries located on the Merrimack river a substantial increase in power output, for which they will be expected to contribute to the state. This method of operation will also serve to aid in the solution of the existing pollution problem.

In our judgment, this compact offers the best solution to the problem of flood control on the Merrimack river possible at this time. The reservoirs selected afford the greatest protection to New Hampshire citizens, with the lowest cost per acre foot of storage. We feel that the interests of the state in the matter of conservation have been amply safeguarded, and that the projects selected are economically justified from every angle.

Respectfully submitted,

JOHN JACOBSON, JR.,
DUDLEY ORR,
JAMES M. LANGLEY.

RESOLUTION

On motion of Mr. Etsler of Claremont:

Resolved, That the Clerk be instructed to procure 1500 copies of the reports accompanying the message, separately from the Journal.

Mr. Molloy of Nashua offered the following resolution:

The Special Committee appointed to investigate the "haying season" offer the following resolution:

Whereas the House of Representatives is now entering its twenty-first week with some 169 bills and joint resolutions to be disposed of before final adjournment and whereas it is evident that one major reason that the legislative session has been so prolonged is the ease in which new bills are introduced through the rules committee, therefore

Be It Resolved, That on and after Wednesday, May 26, no bills or joint resolutions be introduced in this House except by consent of a majority of the membership.

The question being on the resolution.

(Discussion ensued)

Mr. Molloy of Nashua spoke in favor of the resolution.

Messrs. Callahan of Keene and Jones of Lebanon spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Molloy of Nashua asked for a division but subsequently withdrew his request.

TAKEN FROM THE TABLE

On motion of Mr. Coakley of Concord, Senate Bill No. 88, An act relative to employment of minors in handling liquor and beverages was taken from the table.

The question being on the report of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Baker of Concord the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

On motion of Mr. Baker of Concord at 1:20 o'clock the House adjourned.

WEDNESDAY, MAY 26, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Mr. Winslow of Nashua offered the following resolution:

Resolved, that the rules be suspended and the reading of the reports of the Public Improvements Committee as listed in the Journal be dispensed with and that they be acted upon collectively.

The question being on the resolution.

(Discussion ensued)

Messrs. Winslow of Nashua and Molloy of Nashua spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Pursuant to the above resolution Mr. Fogg of Deerfield for the Committee on Public Improvements, reported the following joint resolutions with the resolution:

Resolved, That it is inexpedient to legislate, subject matter being covered by House Bill No. 410.

House Joint Resolution No. 2, Joint resolution for the improvement of the road leading from Butler's Corner, on Deerfield South road to Ladd's Corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 3, Joint resolution relating to the improvement of a road in the town of New Hampton.

House Joint Resolution No. 4, Joint resolution for the improvement of a road in the town of Newington and the city of Portsmouth.

House Joint Resolution No. 6, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 7, Joint resolution for the improvement of the road from Warren to Piermont.

House Joint Resolution No. 8, Joint resolution for the construction and permanent improvement of the Province Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield.

House Joint Resolution No. 9, Joint resolution for the completion of the Francestown road in the town of New Boston.

House Joint Resolution No. 10, Joint resolution relating to the improvement of a road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 11, Joint resolution for the completion of the road leading from Milton to Farmington, known as the Farmington road.

House Joint Resolution No. 12, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

House Joint Resolution No. 13, Joint resolution relating to the improvement of the Proctor Hill road in the town of Hollis.

House Joint Resolution No. 15, Joint resolution for the improvement of a highway leading from Center Ossipee to

Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 16, Joint resolution relating to the improvement of a road in the town of Dalton.

House Joint Resolution No. 18, Joint resolution for improvement of the Province road in Barnstead.

House Joint Resolution No. 19, Joint resolution for the completion of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 20, Joint resolution relating to the improvement of Robin Hill road in the town of Chatham.

House Joint Resolution No. 22, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 23, Joint resolution for the construction and completion of the Old Dover road, so-called, in the cities of Rochester, Dover and Somersworth.

House Joint Resolution No. 24, Joint resolution for the completion of the road in Farmington leading to the Milton line, known as Elm St.

House Joint Resolution No. 25, Joint resolution for the improvement of a road in the town of Auburn.

House Joint Resolution No. 28, Joint resolution for the improvement of a road in the town of Wilton connecting the South Side highway and the Greenfield road.

House Joint Resolution No. 29, Joint resolution for the improvement of the Wolfeboro to Union road in the town of Brookfield.

House Joint Resolution No. 32, Joint resolution for the improvement of the Old Stage Line, so-called, leading from Loudon to Kelley's Corner in Lower Gilmanton.

House Joint Resolution No. 33, Joint resolution for the improvement of the main road leading from Effingham Falls to South Effingham to the state of Maine line at Parsonsfield.

House Joint Resolution No. 34, Joint resolution for the

improvement and completion of the state road from Acworth to the Charlestown-Claremont highway.

House Joint Resolution No. 35, Joint resolution for the completion of the Kingston road, in the town of Brentwood, leading from Epping to Kingston town line.

House Joint Resolution No. 36, Joint resolution for the completion of the Forrest road, so-called, in the town of Marlow.

House Joint Resolution No. 38, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 39, Joint resolution for the improvement of the Salmon Falls road, so-called, in the city of Rochester.

House Joint Resolution No. 40, Joint resolution for the improvement of the road leading from Nottingham Center to the Raymond town line in the town of Nottingham.

On a *viva voce* vote the resolution reported by the committee was adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 40, An act relating to fishing through the ice in certain waters, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 111, An act relating to guides, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 448 (in new draft) An act in relation to the powers and duties of the

Public Service Commission in regard to railroad crossings, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and substituting therefor the following:

1. *Amendment.* Amend chapter 249 of the Public Laws by inserting after section 1 thereof the following new sections:

1-a. *Reconstruction.* The public service commission, upon petition of the proprietors of a railroad, or the state highway commissioner, whenever it finds after notice and hearing that the reconstruction of any overhead highway bridge or underpass located on any state highway, trunk line or state-aided highway, is necessary because of the increase in motor vehicular traffic or in the weight or speed of such traffic, may order such proprietors to rebuild at greater width or load capacity any such overhead highway bridge, or to widen the opening of any such highway underpass, and may apportion the cost of such reconstruction between the railroad, and the state in accordance with the relative benefits to be derived by each therefrom.

1-b. ————. The public service commission, upon petition of the proprietors of a railroad and the selectmen of a town jointly, or the proprietors of a railroad and the mayor and council of a city jointly, whenever it finds after notice and hearing that the reconstruction of any overhead highway bridge or underpass located on any highway other than those specified in section 1-a, located within such town or city, is necessary because of the increase in motor vehicular traffic or in the weight or speed of such traffic, may order such proprietors to rebuild at greater width or load capacity any such overhead highway bridge, or to widen the opening of any such highway underpass, and may apportion the cost of such reconstruction between the railroad, and the town or city in accordance with the relative benefit to be derived by each therefrom.

1-c. *Apportionment.* In making the apportionment provided in sections 1-a and 1-b hereof said commission shall give due consideration to whether the railroad or the highway was first constructed, to the nature and volume of highway traffic, to the number of trains operated by the railroad at the crossing, and all other relevant facts and circumstances. At any such hearing the commissioner of motor vehicles and the state highway commissioner shall sit and confer with the public service commission in an advisory capacity in the determination of the necessity for the proposed reconstruction and the apportionment of the cost of the same. After such reconstruction the abutments and super-structure of the bridge or underpass shall be maintained by the railroad, but the public service commission may direct that the wearing surface of the highway at the crossing be maintained by the state under section 1-a hereof, and by the town or city, if said town or city so elects, under section 1-b hereof, whenever it finds that justice so requires.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiriary, to whom was referred Senate Bill No. 85, An act in relation to the operation of certain boats, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the bill by changing the title thereof to read as follows: "An act in relation to the operation of certain boats."

Further amend said bill by striking out all after the enacting clause and substituting therefor the following:

"1. Amend chapter 378 of the Public Laws by inserting after section 26 thereof the following new section: 26-a. *Operation of Boats.* It shall be unlawful for any person,

while under the influence of intoxicating liquor or any narcotic or habit producing drug, to operate upon any of the waters of this state any boat propelled by electric, naptha, gasoline, steam or other mechanical power, or to operate such boat recklessly or so that the lives or safety of the public might be endangered. Any person convicted of a violation of the foregoing prohibition shall not operate any boat as defined above upon the waters of this state for a period of one year from the date of such conviction. A person convicted of any violation of this section shall be fined not more than one hundred dollars, or imprisoned not more than six months or both.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "boats" in the sixth line the words "rafts and floats" and after the word "operated" in the seventh line the words "or used", and after the word "boats" in the ninth line the words "rafts and floats", so that said section as amended shall read:

"1. *Public Service Commission.* Amend section 11 of chapter 151 of the Public Laws by striking out the same and inserting in place thereof the following: 11. *Regulation of Boats.* In the interest of public safety the Public Service Commission may from time to time make rules and regulations relative to equipment and operation of all boats, rafts and floats of whatever kind, type or character operated or used on any public waters in this state. Such rules

and regulations shall be binding on the persons owning, leasing or operating such boats, rafts and floats."

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 167 (In new draft), An act relating to the taking of fish, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 1 and inserting in place thereof the following:

1. Amend section 2, chapter 155 of the Laws of 1935 by striking out the whole of said section and inserting in place thereof the following:

2. *Brook Trout; Bait and Fly Fishing.* Brook trout not less than seven inches in length, may be taken by the use either of bait or artificial flies from the following waters:

I. Ferrin pond in Weare, Gustin pond in Marlow, Hall ponds in Sandwich, Jackknife pond brook in Errol, Lily pond in Gilford.

II. Long pond in Benton, Lucas pond in Northwood, Martin Meadow pond in Lancaster, Millsfield pond brook in Millsfield and Errol, Mount William pond in Weare, Nippo pond in Barrington.

III. Pine river in Effingham and Ossipee, Pleasant pond in Deerfield, Poverty pond in Hill, Robartwood lake in Campton, Rocky Bound pond in Croydon, Round pond in Pittsburg.

IV. Saltmarsh pond in Gilford, Shawtown pond in Freedom, Smokey Camp brook in Errol, Spectacle pond in Groton and Hebron, Sand pond in Marlow, Stratford bog in Stratford, from May first to September first and during the month of September by the use of artificial flies only, except that brook trout not less than seven inches in length may be taken from Back lake in Pittsburg and Little Diamond pond in Stewartstown from May twentieth

to September first and by the use of artificial flies only during the month of September and from Partridge lake in Littleton from April fifteenth or as soon thereafter as the ice goes out to September first and by the use of artificial flies only during the month of September. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 433, An act relative to athletic exhibitions, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Ways and Means.

Mrs. Dondero of Portsmouth, for the Committee on Industrial School, to whom was referred House Bill No. 326, An act providing for two boys' dormitories and furnishings at the State Industrial School, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four and one-half lines as follows: "*Appropriation.* The sum of ninety-two thousand dollars ($92,000) be and hereby is appropriated for the following buildings and equipment at the state industrial school, viz: a boy's dormitory $40,000, a boy's security dormitory $46,000, furnishings for both buildings $6,000" and inserting in place thereof the following: "1. *Appropriation.* The sum of forty thousand dollars ($40,000) be and hereby is appropriated for buildings

and equipment at the state industrial school." so that said section as amended shall read:

"1. *Appropriation.* The sum of forty thousand dollars ($40,000) be and hereby is appropriated for buildings and equipment at the state industrial school. Said sum shall be expended under the direction of the trustees of the state industrial school in accordance with plans and specifications to be approved by the governor and council."

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 184, An act to regulate the keeping of live wild animals, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after section 2 and inserting in place thereof the following:

3. *Permit to Keep Live Wild Animals.* The director of fish and game is hereby authorized in his discretion to issue a permit to any person to have in possession a live wild animal or wild bird. Said permit shall be issued for such period and under such conditions as the director may determine. The director is hereby authorized to make such rules and regulations relative to the keeping of live wild animals or wild birds under the provisions of this section as he may deem necessary. The provisions of this act shall not apply to a person who holds a permit from the director as provided herein.

4. *Penalty.* Whoever violates any of the provisions of this act, or whoever violates any rule or regulation relative to keeping live wild animals promulgated by the director in accordance with the provisions of section 3 hereof, shall be fined twenty-five dollars for the first offense, fifty dollars for the second offense and an amount not to exceed five hundred dollars for each subsequent offense.

5. *Enforcement.* The Director of Fish and Game, either by himself or his agents, shall have authority to enforce the provisions of this act and for that purpose may without expense to the state designate as his agent any officer or agent of any incorporated society for the prevention of cruelty to animals.

6. *Takes Effect.* This act shall take effect thirty days after its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 353 (In new draft), An act relating to fly fishing, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole thereof and inserting in place thereof the following:

1. Amend section 1, chapter 155 of the Laws of 1935 by striking out the whole of said section and inserting in place thereof the following:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length may be taken by the use of artificial flies only from the following waters:

I. Armington lake in Piermont, Beaver pond in Woodstock, Clarksville pond in Clarksville, East Inlet to Second Connecticut lake in Pittsburg, Coon, Brook Bog in Pittsburg, the Connecticut river from the First Connecticut lake dam to the covered bridge at the Archie Heath place, so-called, in Pittsburg.

II. Duck pond in Weare, Echo lake in Conway, Glen Ellis river, between covered bridge in Jackson and Goodrich Falls dam in Bartlett, Grimstone reservoir in Belmont.

III. Hunkins pond in Sanbornton, James pond in Tamworth, Little Millsfield pond in Millsfield, Mirror lake in Woodstock.

IV. Newfound river from the dam at the outlet of New-

found lake to the Dodge and Davis woolen mill dam in Bristol, March pond in Hill, Moody pond in Weare, Moose pond in Millsfield, Morey pond in Andover.

V. Profile lake in Franconia, Round pond in Nottingham.

VI. Sawyer pond in Livermore, Scott's bog in Pittsburg, Swift river in Tamworth, Stonehouse pond in Barrington, Upper pond of Ellsworth Three ponds in Ellsworth and Warren.

VII. White pond in Ossipee from May first to October first. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight he shall be entitled to take one additional fish. Brook trout not less than seven inches in length may be taken from Adams pond in Hill, Reservoir pond in Hill, Shaw pond in Franklin and Stirrupiron brook pond in Salisbury from May first to October first provided that no person may take more than five in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than five in number or five pounds in weight he shall be entitled to take one additional fish. No person may have in his possession more than two days legal catch. No other kinds, varieties or species of fish may be taken from the waters enumerated in this section, except by the use of artificial flies. Trolling with artificial flies or the use with artificial flies of a spinner, spoon or other device intended to attract fish in such waters, is prohibited. The possession by any person fishing in such waters, of bait or lines of any kind except artificial flies, shall be *prima facie* evidence that such person is guilty of a violation of the provisions of this section.

The report was accepted.

The question being on the amendment.

The Speaker declared the bill laid upon the table in order that the amendment might be printed in the Journal.

Mr. Perkins of Holderness, for the Committee on Fisheries and Game, to whom was referred House Bill No. 211, An act relating to fly fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 19, An act providing for the employment of an assistant attorney general, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Gallagher of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 402 (In new draft), An act creating a probation department, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "members" in line three the following, not more than two of whom shall be from any one major political party, so that said section as amended shall read as follows:

1. *Board of Probation.* There shall be a Board of Probation, created immediately upon the passage of this act, said board to consist of three members, not more than two of whom shall be from any one major political party, to be appointed by the Governor and Council, for periods of three, two and one years respectively, and thereafter one every year for a three-year term to fill the vacancy then arising. All members of the board shall serve without pay, but shall be reimbursed by the state for the necessary expenses incurred in the performance of their duties. Any member of the board may be removed for cause by the

Governor, with the advice and consent of the Council. The board shall elect a chairman and clerk.

The report was accepted.

Mr. McDonough of Dover moved that the bill with the accompanying amendment be laid upon the table.

On a *viva voce* vote the motion did not prevail.

On a *viva voce* vote the amendment was adopted.

The question being,

Shall the bill be read a third time?

Mr. McDonough of Dover moved that the words inexpedient to legislate be substituted for the words ought to pass and with this motion pending moved that the bill be laid upon the table and made a special order for Tuesday, June 1, at 11:01 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. McDonough of Dover asked for a division.

A division being taken 61 members voted in the affirmative and 169 members voted in the negative and the motion did not prevail.

The bill was then ordered to a third reading.

Mr. Callahan of Keene demanded the yeas and nays but subsequently withdrew his demand.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 161 (in second new draft), An act creating a retirement system, reported the same with the recommendation that the bill ought to pass.

Mr. Moran of Nashua moved that the words inexpedient to legislate be substituted for the words ought to pass.

The question being on the motion of Mr. Moran.

(Discussion ensued)

Messrs. Moran of Nashua, Sanderson of Pittsfield, and Perley of Lebanon spoke in favor of the motion. Messrs.

Wylie of Concord, Hart of Wolfeboro, Molloy of Nashua, and Callahan of Keene spoke against the motion.

Mr. Wylie of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Moran of Nashua.

On a *viva voce* vote the motion did not prevail.

Mr. Sanderson of Pittsfield asked for a division.

A division being taken 74 members voted in the affirmative and 160 members voted in the negative and the motion did not prevail.

Mr. Wylie of Concord offered the following amendment:

Amend by striking out sub-section one of section one and substituting in place thereof the following:

1. "Teacher" shall mean any teacher or principal regularly employed in public schools. It shall not include superintendents.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 404 (in new draft), An act relating to neglected and delinquent children, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. McDonough of Dover moved that the words inexpedient to legislate be substituted for the words ought to

pass and with this motion pending moved that the bill be laid upon the table and made a special order for Tuesday, June 1, at 11:01 o'clock.

The question being on the motion of Mr. McDonough.

(Discussion ensued as to time)

On a *viva voce* vote the motion did not prevail.

The bill was then ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 432, An act to establish a water control commission, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by renumbering section 100 to read 101, and inserting a new section 100 to read as follows:

100. *Appropriation.* For carrying out the purposes of this act a sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby appropriated for the fiscal year beginning July 1, 1937, and a like sum for the fiscal year beginning July 1, 1938, such sums to be a charge against the funds provided by section 18, chapter 121, Laws of 1935.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Bill No. 78, An act establishing the New Hampshire Water Resources Board, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the whole of said section and inserting in place thereof the following:

2. *Projects Defined.* Amend paragraph III of section 2 of said Chapter 121 by striking out said paragraph and by substituting therefor the following:

III. The word "project" shall be deemed to include

all property, rights, easements and franchises relating thereto and deemed necessary or convenient for its operation, and shall embrace all means of accomplishing the purposes set forth in Section 1 hereof, including, without limiting the generality of the foregoing, reservoirs, dams, diversion and distribution canals, lateral ditches, pumping units, mains, pipe lines and water-works systems.

Further amend said bill by making section 10, section 11, and by inserting a new section 10 as follows:

10. *Water Regulating Committees, Duties.* Amend section 11 of Chapter 121 of the Laws of 1935 by striking out the whole thereof and by substituting therefor the following:

11. *Water Regulating Committees.* Said board shall appoint a committee or committees of such number as it may determine to regulate and direct the storage and release of water from each reservoir in such manner and at such times as shall be most beneficial for regulating the flow of rivers and streams to lessen damages resulting from floods or for supplying water to any political subdivision of the State for public or domestic use (provided that any such subdivision shall be required to pay to said board a fair and reasonable compensation as determined by said board for water so supplied) and subject thereto in accordance with the provisions of contracts entered into pursuant to Section 7 hereof. The committee shall not interfere with or obstruct the flow of stored water released from any present or future water storage or conservation reservoir located upstream from said project. The members of such committees shall continue as such during the pleasure of the board, which shall promptly make new appointments whenever a vacancy occurs from any cause.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Insurance, to whom was referred House Bill No. 205, An act relating

to foreign insurance companies and their agents, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 61 of chapter 275 of the Public Laws by adding at the end thereof the words, but shall not include any considerations received for annuity contracts, so that said section as amended shall read as follows: 61. *Meaning of Term.* As applied herein to a life insurance company, the term "gross premiums received by it" shall mean the total amount of premiums as stated in the policies without deduction on account of dividends used by policy holders to reduce, or in part payment of, premiums; but shall not include any considerations received for annuity contracts.

The report was accepted.

The undersigned, a minority of the Committee on Insurance, to whom was referred House Bill No. 205, An act relating to foreign insurance companies and their agents, being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

CHARLES W. VARNEY, JR.,
JAMES C. GRAVES,
A Minority of the Committee.

The bill with the amendment pending was referred to the Committee on Ways and Means.

Mr. Cummings of Peterborough moved that the rules be suspended and business in order at 3:00 o'clock be made in order at the present time.

The question being on the motion of Mr. Cummings.

(Discussion ensued)

Messrs. McDonough of Dover and Callahan of Keene spoke against the motion.

Mr. Cummings of Peterborough withdrew his motion.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 6, An act relating to taking of raccoon, and the President appointed as members of the Committee on the part of the Senate Senators Cole and Allen.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, and the President appointed as members on the part of the Senate Senators Blood and Calef.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

Amend the joint resolution by striking out in the first and second lines the words and figures "five hundred and three dollars ($503)" and substituting in place thereof the words and figures, three hundred and ten dollars ($310);

Further amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the claim;

So that said joint resolution as amended will read:

That the sum of three hundred and ten dollars ($310) be and hereby is appropriated in favor of Peter Lajoie to reimburse him for expenses sustained by him as a result of accidental injury occasioned by alleged negligence of employees of the state highway department, while he was traveling along the state highway in the town of Colebrook on October 24, 1931. Said sum shall be a charge upon the

highway funds, and shall be in full settlement of the claim.

On motion of Mr. Hart of Wolfeborough the House voted to non-concur in the amendments sent down from the Honorable Senate and ask for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Hart of Wolfeboro, Baker of Concord, and Ramsey of Berlin.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 458, An act to repeal charters of certain corporations.

Amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the Secretary of State.

Amend said bill by striking out the letters "a" and "b" as numbering of the paragraphs and references thereto and inserting in place thereof the numbers I and II, respectively.

Further amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

Further amend said section 1 by adding after the word "objects" in the last sentence of said section the words for which said corporations were organized.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had recalled from the Governor House Bill No. 468, An act appropriating money to rehabilitate the highway funds.

On motion of Mr. Graham of Canaan at 12:55 o'clock the House adjourned.

AFTERNOON

The House met at 3:00 o'clock.

RESOLUTION

On motion of Mr. Baker of Concord resolved that the clerk be instructed to procure 500 additional copies of House Bill No. 477, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1938, and House Bill No. 478, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1939.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third reading of bills by their titles and joint resolutions by their captions made in order.

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

House Bill No. 184, An act to regulate the keeping of live wild animals.

House Bill No. 167 (in new draft), An act relating to the taking of fish.

House Bill No. 432, An act to establish a water control commission.

House Bill No. 448, (in new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 78, An act establishing the New Hampshire water resources board.

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

House Bill No. 161, An act creating a retirement system read a third time.

The question being,

Shall the bill pass?

Mr. Moran of Nashua asked for a division.

A division being taken 123 members voted in the affirmative and 43 members voted in the negative and a quorum of the House not being present at 3:35 o'clock the House was declared adjourned, the bill going over into unfinished business.

THURSDAY, MAY 27, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Wadleigh of Milford was granted leave of absence for the day on account of important business.

RESOLUTIONS

On motion of Mr. Graves of Keene.

Resolved, that when the House adjourns this morning it be to meet Friday morning at 9:00 o'clock, and that when it then adjourns it adjourn to meet Monday evening at 6:00 o'clock.

On motion of Mr. Winslow of Nashua,

Resolved, that the rules be suspended and the reading of the reports of the Public Improvements Committee as listed in the Journal be dispensed with and that they be acted upon collectively.

COMMITTEE REPORTS

Pursuant to the above resolution Mr. Fogg of Deerfield for the Committee on Public Improvements, reported the following joint resolutions with the resolution:

Inexpedient to legislate subject matter covered by House Bill No. 410.

House Joint Resolution No. 41, Joint resolution for the completion of the Gilmanton Road leading from Alton to Gilmanton in the town of Alton.

House Joint Resolution No. 42, Joint resolution for the improvement of the Benton Hotel Road leading from the Center Haverhill meeting house to the Benton town line in the town of Haverhill.

House Joint Resolution No. 43, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 44, Joint resolution for the improvement of the Old Mast road in the town of Lee.

House Joint Resolution No. 45, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 46, Joint resolution for the improvement of a road in the town of Lyndeborough.

House Joint Resolution No. 47, Joint resolution for completion of state highway around Squam lake in the towns of Sandwich and Holderness.

House Joint Resolution No. 48, Joint resoltuion for the improvement of the Wolfeboro road in the town of Middleton.

House Joint Resolution No. 49, Joint resolution for the completion of the Conley Road in the town of Atkinson.

House Joint Resolution No. 50, Joint resolution for the improvement of a certain road in Barrington leading from Waterhouse Corner to Strafford Bow lake.

House Joint Resolution No. 52, Joint resolution for the improvement of the Milan Hill road in the town of Milan.

House Joint Resolution No. 54, Joint resolution for the improvement of the Sandown road in the town of Danville.

House Joint Resolution No. 55, Joint resolution for the completion of the Forest road, so-called, in the towns of Hancock, Antrim, Nelson and Stoddard.

House Joint Resolution No. 56, Joint resolution for the improvement of the road leading off North Epping road to Hedding Camp Ground and the Newfields town line.

House Joint Resolution No. 59, Joint resolution for the completion of a road in Chester.

House Joint Resolution No. 63, Joint resolution for the completion of the Monroe road in the town of Littleton.

House Joint Resolution No. 64, Joint resolution for the completion of the unimproved portion of the Second N. H. turnpike between Unity Center and Sullivan County Farm Corner.

House Joint Resolution No. 65, Joint resolution for the completion of the Merrymeeting lake road from Route 11 to Merrymeeting lake.

House Joint Resolution No. 70, Joint resolution for the improvement of the so-called Monroe road in the town of Bath.

House Joint Resolution No. 76, Joint resolution for the improvement of the Sandown road in the town of Fremont.

House Joint Resolution No. 77, Joint resolution for the improvement of the Thorn Hill road, so-called, in the town of Bartlett.

House Joint Resolution No. 82, Joint resolution for the completion of the Strafford-Crown Point road, so-called, in the city of Rochester.

House Joint Resolution No. 83, Joint resolution providing for the completion of the road from Durham to the Lee road, in the town of Madbury.

House Joint Resolution No. 84, Joint resolution for the completion of the road from Peterborough to Greenfield.

House Joint Resolution No. 88, Joint resolution for the completion of the approaches to Long Island bridge in Moultonborough.

House Joint Resolution No. 89, Joint resolution for the improvement of the road from West Ossipee to Freedom.

House Joint Resolution No. 90, Joint resolution for the construction of a road on Long Island in the town of Moultonborough.

House Joint Resolution No. 92, Joint resolution for the completion of the North New Boston road, so-called, in the town of Francestown.

House Joint Resolution No. 96, Joint resolution for the improvement of a road in the town of Ossipee.

House Joint Resolution No. 97, Joint resolution for the improvement of the Auburn road in the town of Hooksett.

House Joint Resolution No. 98, Joint resolution for the construction and improvement of a road in the town of Weare.

House Joint Resolution No. 99, Joint resolution for the improvement of a road in Meredith.

House Joint Resolution No. 100, Joint resolution for the improvement of the North Groton road in the town of Groton.

House Joint Resolution No. 103, Joint resolution for the

improvement of the road leading from the Cornish toll bridge to the Claremont-Lebanon trunk line.

House Joint Resolution No. 107, Joint resolution for the completion of Washington street, the Barrington road, so-called, in Rochester.

House Joint Resolution No. 108, Joint resolution for the improvement of the Agassiz Hill road in Bethlehem.

House Joint Resolution No. 109, Joint resolution for the improvement of the Grafton County turnpike in Canaan.

House Joint Resolution No. 110, Joint resolution for the improvement of the Hampton Falls road in the town of Kensington.

House Joint Resolution No. 111, Joint resolution for the improvement of the South road, so-called, in the town of Kensington.

On a *viva voce* vote the resolution reported by the committee was adopted.

Mr. Armington of Nashua for the Committee on Labor, to whom was referred Senate Bill No. 90, An act to provide one day rest in seven, reported the same with the recommendation that the bill ought to pass.

On motion of Mr. Kimball of Manchester the bill was laid upon the table.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17, Joint resolution relating to agricultural fairs, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate; subject matter covered in the budget.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 366, An act relating to salaries of judges, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 41, An act for the prevention of increased unemployment and resulting pauperism and for the creation of employment by extending limited state assistance to industries, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 439, An act to establish a child guidance clinic, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Sturtevant of Concord, the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Ahern of Concord for the Committee on Rules, reported the following Joint Resolution, House Joint Resolution No. 137, Joint resolution in favor of Mrs. William J. Elson, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Sturtevant of Concord the rules were suspended and the printing of the joint resolution and its referrence to a Committee dispensed with and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

RESOLUTION

Mr. Sanderson of Pittsfield presented the following resolution:

RESOLUTIONS ON THE DEATH OF
MRS. CATHERINE AGNES CLARK

Whereas, Our Heavenly Father in his infinite wisdom has called Home Mrs. Catherine Agnes Clark, mother of Mrs. Frances Clark Barnard, House Stenographer, therefore be it

Resolved, that the members of the House of Representatives extend their heartfelt sympathy to Mrs. Barnard in her bereavement, and be it further

Resolved, that this sentiment be printed in our Journal, and that a copy be sent to Mrs. Barnard.

HARRIS H. RICE,
ROBERT H. SANDERSON,
CHARLES H. BARNARD,
WILLIAM J. AHERN,
ANSEL N. SANBORN,
LEO L. OSBORNE,
Committee on Resolutions.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions, sent up from the House of Representatives:

House Bill No. 78 (In new draft), An act relating to alimony.

House Joint Resolution No. 87, Joint resolution appropriating funds for the purposes of dredging a channel at Alton Bay.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 281, An act to create a State Board of Accountancy.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 102, An act relating to suspension of motor vehicle licenses.

House Bill No. 327, An act to regulate industrial homework.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 121, An act relating to sending of presidential check-lists to State Library.

Amend section 1 of the bill by striking out the whole of said section and substituting therefor the following:

1. Amend section 28 of chapter 10 of the Public Laws by striking out the words "on or before January first, succeeding" and inserting in place thereof "within seventy-two hours of the closing of the polls for" so that the section as amended shall read as follows:

28. *Check-lists.* Supervisors of towns and corresponding officers of cities shall, within seventy-two hours of the closing of the polls for each presidential election hereafter, send to the state library the check-list used in said election, certified by said officers.

On motion of Mr. Winslow of Chesterfield, the House

concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 324, An act relating to payment of wages.

Amend section 1 of the bill by striking out the whole of said section and substituting therefor the following:

Sect. 1. Amend Chapter 176 of the Public Laws by adding after section 28-a a new section numbered 28-b as follows:

28-b. *Employees who are separated from pay roll before pay days.* (a) *Discharged Employees.* Whenever an employer separates an employee from the pay roll the unpaid wages or compensation of such employees shall become due immediately upon demand by the employee of the employer or his paymaster, and the employer shall pay such wages to the employee within 72 hours of the time of such demand, except where such employees are working at other than the principal place of business, then such employee shall receive the wages due on the next regular payroll date. In case of any failure to pay wages due an employee as thus provided, the wages of such employee shall continue for the period of one week from the date of separation at the same rate which said employee received at the time of separation. The employee may recover the penalty thus accruing to him in a civil action. Said action must be commenced within 60 days from the date of separation; provided, however, that any employee who secretes or absents himself to avoid payment to him or who refuses to receive payment when tendered shall not be entitled to any penalty under this paragraph for such time as he avoids payment.

(b) *Employees Quitting.* Whenever an employee (not having a written contract for a definite period) quits or resigns his employment, the wages or compensation earned

shall become due and payable not later than the next regular pay day.

(c) *Industrial Disputes.* In the event of the suspension of work as the result of an industrial dispute, the wages and compensation earned and unpaid at the time of said suspension shall become due and payable at the next regular pay day, as provided in Section 25 of this act, including, without abatement or reduction, all amounts due all persons whose work has been suspended as a result of such industrial dispute, together with any deposit or other guaranty held by the employer for the faithful performance of the duties of the employment.

Mr. Dickinson of Danville moved that the House nonconcur and ask for a Committee of Conference.

The question being on the motion of Mr. Dickinson.

(Discussion ensued)

Messrs. Dickinson of Danville, and Callahan of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Smith of Haverhill, Dickinson of Danville, and Lagueux of Somersworth.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 111, An act relating to incorporation of insurance companies.

SENATE BILL READ AND REFERRED

Senate Bill No. 111, An act relating to incorporation of insurance companies.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Roche of Keene at 11:42 o'clock the House adjourned.

FRIDAY, MAY 28, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, May 28, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, MAY 31, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Monday, May 31, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JUNE 1, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Hoyt of Laconia and Knowlton of Manchester were granted leaves of absence for the day on account of important business.

Mr. Tierney of Weare was granted leave of absence for the day on account of illness.

Mr. Barnard of Manchester was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 10, An act relating to the registration of motor vehicles, trailers, semi-trailers and tractors, and to operators' licenses.

House Bill No. 234, An act relative to taking of suckers.

House Bill No. 281, An act to create a state board of accountancy.

House Bill No. 458, An act to repeal charters of certain corporations.

House Bill No. 459, An act relative to forfeiture of charters of business corporations not paying franchise fees to the secretary of state.

House Joint Resolution No. 87, Joint resolution appro-

priating funds for the purpose of dredging a channel at Alton Bay.

House Joint Resolution No. 132, Joint resolution in favor of the town of Stewartstown.

The report was accepted.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of seventeen dollars and sixty cents be and hereby is appropriated to compensate Erwin A. Ames of the city of Concord for accidental injuries suffered while building a state aid road in said Concord, provided that the city of Concord shall appropriate a like amount. An additional sum of twenty-four dollars is likewise appropriated to be paid to Dr. C. H. Parsons, said bill having been contracted by said Erwin A. Ames in said accident, provided a like sum is appropriated by the said city of Concord. Said sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut

and Vermont and for other purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River basin and for carrying out the provisions of said agreement or compact, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Milan for the Committee on Towns and Counties, to whom was referred Senate Bill No. 104, An act relating to the power of counties and towns to insure their property, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled Bill, House Bill No. 479, An act relative to the issue of notes by the county of Merrimack, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time.

On motion of Mr. Wylie of Concord the rules were suspended and the printing of the bill dispensed with.

On motion of the same member the bill was referred to a special committee consisting of the Delegation from the County of Merrimack.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 264 (in second new draft), An act to regulate the practice of barbering, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 7 by adding at the end thereof the following, but their total amount shall not be in excess of the total of the amount of the monies received by the state treasurer from the board during the current year, so that said section as amended shall read as follows:

7. *Compensation.* The secretary and treasurer shall receive a salary of three hundred dollars per year and each of the other members of the board shall receive as compensation the sum of five dollars for each day actually devoted to the work of the board and each member of the board shall be reimbursed for necessary traveling expenses incurred in the discharge of his duty, but their total amount shall not be in excess of the total of the amount of the monies received by the state treasurer from the board during the current year.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 52 (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 by striking out in line 3 the words "at

least two of whom" and inserting in place thereof the word, who, so that said section as amended shall read as follows:

3. *Board Established.* There is hereby established a board of registration of hairdressers, consisting of three members, appointed by the governor with the advice of the council, who shall have been engaged in the practice of hairdressing in this state for not less than five years. The terms of the members of the board shall be for three, two and one years respectively in the order of their appointment and for three years thereafter. One member of the board shall be designated as chairman and one as secretary. Each member so appointed shall continue to serve until his successor is appointed and qualified to act. The governor, with the advice and consent of the council, shall have the authority to fill any vacancy occurring in the board.

Amend section 18 by striking out in line 3 the words "and the names of all three of its members" so that said section as amended shall read as follows:

18. *License Certificate.* The board shall furnish to each licensed operator and hairdresser a license bearing the seal of the board, certifying that the holder thereof is entitled to practice hairdressing and beauty culture in this state and it shall be the duty of the holder of such license to post the same in a conspicuous place where it may be readily seen by all persons whom he may serve. A license limited to manicuring only may be issued by the board upon compliance with such examination requirements as may be determined by the board and upon payment of the fees as provided by this act.

Amend section 19 by adding at the end thereof the following: Each member of said board shall receive five dollars ($5) per day and necessary traveling expenses when conducting sanitary inspections, so that said section as amended shall read as follows:

19. *Fees.* Except as herein otherwise provided, the fees

established by this act to be paid to said board by applicants before a license or registration certificate shall issue shall be as follows:

Applicant	Original	Renewal
School	$25.00	$25.00
Shop	10.00	5.00
Short-term shop	5.00	3.00
Hairdressers	5.00	2.00
Non-resident hairdressers	20.00	2.00
Manicurists	3.00	2.00
Non-resident manicurists	5.00	2.00
Examination	10.00	.....

Each member of said board shall receive $5 per day and necessary traveling expenses when conducting sanitary inspections.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

TAKEN FROM THE TABLE

On motion of Mr. Smith of Haverhill, Senate Bill No. 90, An act to provide one day rest in seven was taken from the table.

The question being,

Shall the bill be read a third time?

(Discussion ensued)

Messrs. Smith of Haverhill, McCooey of Dover, and Dickinson of Danville spoke in favor of the motion. Mr. Callahan of Keene spoke against the motion.

On a *viva voce* vote the bill was ordered to a third reading.

House Bill No. 353 (in new draft), An act relating to fly fishing, was taken from the table.

The question being on the amendment,

Mr. Adams of Seabrook offered the following amendment to the amendment.

Amend paragraph VII by striking out at the end thereof the words "No other kinds, varieties or species of fish may be taken from the waters enumerated in this section, except by the use of artificial flies. Trolling with artificial flies or the use with artificial flies of a spinner, spoon or other device intended to attract fish in such waters, is prohibited. The possession by any person fishing in such waters, of bait or lines of any kind except artificial flies, shall be *prima facie* evidence that such person is guilty of a violation of the provisions of this section.

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the amendment as amended was adopted and the bill ordered to a third reading.

UNFINISHED BUSINESS

Mr. Wylie of Concord called for the unfinished business, House Bill No. 161, An act creating a retirement system.

The question being,

Shall the bill pass?

Mr. Moran of Nashua demanded the yeas and nays, but subsequently withdrew his demand, and asked for a division.

A division being taken 206 members voted in the affirmative and 127 members voted in the negative and the bill passed, and was sent to the Senate for concurrence.

Mr. Baker of Concord called for the unfinished business, House Bill No. 402 (in new draft), An act creating a probation department.

The bill was read a third time.

The question being,

Shall the bill pass?

(Discussion ensued)

Messrs. Etsler of Claremont, Sanderson of Pittsfield,

Danforth of Acworth, and Tilton of Ward 4, Laconia, spoke in favor of the passage.

Mr. McDonough of Dover spoke against the passage.

Mr. Hart of Wolfeboro moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being:

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

Mr. Baker of Concord called for the unfinished business, House Bill No. 404 (in new draft), An act relating to neglected and delinquent children.

The bill was read a third time.

The question being:

Shall the bill pass?

(Discussion ensued)

Messrs. Tilton of Ward 4, Laconia, Etsler of Claremont, and Collis of New Boston, spoke in favor of its passage. Messrs. McDonough of Dover, and Dickinson of Rochester, spoke against the passage.

Mr. Jones of Lebanon moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being:

Shall the bill pass?

Mr. McDonough of Dover called for a division.

A division being taken 200 members voted in the affirmative and 86 members voted in the negative and the bill passed.

Mr. Callahan of Keene demanded the yeas and nays, and the roll was called with the following result:

YEAS—245

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Fecteau, Merrill, Scammon, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Turcotte of Newmarket, Estabrook of Newton, Knowles, Fernald, Palmer of Plaistow, Dondero, Foote, Gray, Pray, Yeaton, Cogan, Badger, Rose, Gile, Marston, Manor, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Hayes of Dover, McCooey, Caswell, Lucas, Richards, Whitehouse, Longley, Jenkins, Colby, Dustin, Lageux, Boucher, St. Laurent.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Quint, Head, Huntress, Banfield, Wiggin, Sanborn, Hart.

MERRIMACK COUNTY: Munroe, Carter, Coakley, Kemp, Baker, Boutwell, Butterfield of Concord, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Maxham, Wiley, Ahern, Nutter of Epsom, Rowe, Fowler, Mitchell, Ball, Lovely, Carr, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Kimball, Woodbury of Manchester, Casey, Dwyer, Clark of Manchester, Corey, Betley, O'Brien, Booth, Connelly, Arthur J. of Ward 6, Manchester, Connelly, Paul J. of Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gorham, Hanley, Horan, Walsh, Gallagher, Gaudreault, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Maker, Foster, Wadleigh, Atherton, Cooper, James, Winslow of

Nashua, Armington, Duclos, Molloy, Wilcox, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Graves, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Hemenway, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, Granger, Barrett of Troy, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Etsler, Howe, Quimby, Johnson of Cornish, Cummings of Newport, Fairbanks, Rogers.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Pulsifer, Graham, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, French, Hoyt of Lebanon, Jones of Lebanon, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Munroe Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Collette, Moffett, Roy, Studd, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Rix, Fuller, Whitcher.

NAYS—98

ROCKINGHAM COUNTY: Dagan, Havican, Palmer of Kensington, Rousseau, Barrett of Portsmouth, Kittredge, Peever, Drowne.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Garland, Blaisdell, McDonough, Blanchard, Caldwell, Dickinson of Rochester, Varney.

BELKNAP COUNTY: Guay, Normandin, Cantin, Day, Winkley, Hoyt of Sandwich.

MERRIMACK COUNTY: Courtemanche, Rivet, Stearns of

Concord, Mansur, Lemire, Douphinett, Johnson of Hooksett, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Gage, Johnson of Manchester, Sullivan of Ward 4, Manchester, Lacroix, Bouthiette, Chevrette, Constant, Farland, Poulin, Lareau, Aubin, Caron, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Bernard, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Noel, Bouthillier, Poney.

CHESHIRE COUNTY: Callahan, Knowlton of Keene, Duffy, Roche, King, Relihan.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Brigham, Kelly of Newport, Kempton.

GRAFTON COUNTY: Remick of Bristol, Walbridge, Remick of Groton, Perley, Dubuque, Sliney, Collins.

COOS COUNTY: Barden, Mason, Henderson of Berlin, Montminy, Palmer of Berlin, Brungot, Dutil, Seymour, Chandler of Gorham, Judd, Brown of Stratford.

Mr. Carpenter of Wolfeboro voting Yes paired with Mr. Dempsey of Franklin voting No.

And the bill passed and was sent to the Senate for concurrence.

On motion of Mr. Etsler of Claremont at 1:10 o'clock the House took a recess till 2:45 o'clock.

(After recess)

The House was called to order.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 125 (In new draft), An act relating to appraisal of taxable property.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire county.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 78, An act establishing the New Hampshire Water Resources Board.

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 59, An act relating to permits for entries to private cemeteries.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Temporary Right of Way to Private Graveyard Enclosures.* Any person wishing to have a temporary right of entry over private land in order to enter a private graveyard enclosure to which there is no public right of way may apply in writing to the selectmen of a town or the mayor of a city stating the reason for such request and the period of time for which such right is to be exercised. Said applicant shall also notify in writing the owner or occupier of the land over which the right of way is desired. The selectmen or mayor may, in their or his discretion, issue a permit for such temporary right of entry designating the particular place where said land may be crossed. The owner or occupier of said land may recommend said place of crossing which, if reasonable, shall be the place so designated by the selectmen or mayor.

2. *Private Graveyard.* Amend section 19 of chapter 380

of the Public Laws by striking out said section and inserting in place thereof the following: 19. *Trespassing Stock.* If any stock, through the fault or negligence of the owner, is found trespassing upon any public burial place or upon any private graveyard protected by fencing, the owner shall be fined not more than twenty dollars, for the use of the town in which such place is situated.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Jones of Lebanon, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following entitled bills and joint resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 108, An act legalizing certain town meetings held in the Town of Boscawen.

Senate Bill No. 113, An act relative to temporary number plates for motorcycles.

Senate Bill No. 115, An act relating to the John E. Hunt Home for Aged Women.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

SENATE BILLS AND JOINT RESOLUTIONS READ AND REFERRED

Senate Bill No. 108, An act legalizing certain town meetings in the town of Boscawen.

Senate Bill No. 113, An act relative to temporary number plates for motorycles.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

Read a first and second time and referred to the Committee on Claims.

RESOLUTIONS

Mrs. Dondero of Portsmouth presented the following resolutions:

Whereas, The members of the House of Representatives have learned with sorrow of the recent death of Placide Fecteau, father of Thomas W. Fecteau, Representative from Epping,

Therefore Be it Resolved, That the members extend to the bereaved family their heartfelt sympathy, and be it further

Resolved, That the clerk transmit to the family a copy of these resolutions.

MARY C. DONDERO,
BART E. HAVICAN,
CLIFTON BEEDE,
FRANK I. CALDWELL,
WILLARD K. TOZIER.

The resolutions were unanimously adopted by a rising vote.

On motion of Mr. Etsler of Claremont at 3:02 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made to order.

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 52, (in new draft), An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

House Bill No. 353 (in new draft), An act relating to fly fishing.

House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Goodwin of Bethlehem at 3:05 o'clock the House adjourned.

WEDNESDAY, JUNE 2, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Head of Eaton was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Saltmarsh of Concord was granted leave of absence for the rest of the week on account of death in family.

Mr. Nutter of Rollinsford was granted leave of absence for the rest of the week on account of important business.

PERSONAL PRIVILEGE

Mr. Callahan of Keene rose to a question of personal privilege and called the attention of the Speaker and the House to House Rule 23 and expressed his disapproval of the method of putting the previous question.

Mrs. Brungot of Berlin rose to a question of personal privilege and stated that she desired to be recorded as having voted yes on the roll call on House Bill No. 404 (In new draft), An act relating to neglected and delinquent children.

Mrs. Mason of Berlin rose to a question of personal privilege, and stated that the lady members of the House expressed the desire that the gentlemen members would remove their coats in the event of another hot spell.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 121, An act relating to sending of presidential check-lists to the state library, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Presidential Elections.* Amend section 28 of chapter 10 of the Public Laws by striking out said section and inserting in place thereof the following: 28. *Checklists.* Supervisors of towns and corresponding officers of cities shall, within seventy-two hours of the closing of the polls for each presidential election hereafter, send to the state library one of the check-lists used in said election, certified by said officers.

On a *viva voce* vote the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Merrill of Exeter for the Committee on Ways and

Means, to whom was referred House Bill No. 433 (In new draft), An act relative to athletic exhibitions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 111, An act relating to incorporation of insurance companies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 259, An act relating to proceedings on certiorari, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 332, An act relating to fix the legal height or level of certain bodies of water of the state, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amendments to House Bill No. 477.

Numbers of lines herein quoted refer to the printed bill.

Amend line 189, Clerical expenses, by striking out 7,375 and substituting 7,425.

Amend line 193, Copying ancient records, by striking out 2,625 and substituting 5,125.

Amend line 198, Total, by striking out 26,710.95 and substituting 29,260.95.

Amend line 202, Clerical expenses, by striking out 12,610,00 and substituting 11,667.50.

Amend line 215, Total, by striking out 81,656.48 and substituting 80,713.98.

Amend by striking out lines 236 and 237, "Special appropriation: road and water pipe, 4,000.00."

Amend line 242, Total, by striking out 96,923.00 and substituting 92,923.00.

Amend line 371, Maternity and infancy; Nurses and clerical salaries, by striking out 2,800 and substituting 1,950.

Amend line 372, Other current expenses, by striking out 1,970 and substituting 870.

Amend line 373, Sanitation; Salaries, by striking out 7,000 and substituting 8,000.

Amend line 374, Other expenses, by striking out 2,110 and substituting 3,110.

Amend line 378, Total, by striking out 74,160 and substituting 74,210.

Amend line 408, Clerical expense, by striking out 10,665 and substituting 9,465.

Amend by inserting a new line as follows: 410-A. Division of Industrial Promotion, 5,000.

Amend line 414, Total requirements, by striking out 79,982.50 and substituting 83,782.50.

Amend line 417, Net appropriation, by striking out 78,732.50 and substituting 82,532.50.

Amend line 474, For firemen's relief, by striking out 3,000 and substituting 4,000.

Amend line 476, For Prisoners' Aid Association, by striking out 400.00 and substituting 600.00.

The report was accepted.

The question being on the amendments.

(Discussion ensued)

Mr. Sanderson of Pittsfield spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted.

Mr. Moran of Nashua offered the following amendments:

Amend line 10 by striking out the figures 3,500.00 and inserting in its place the figures 2,500.00.

Amend lines 79 and 80 by striking out the figures 54,660.00 and inserting in its place the figures 50,000.00 and by striking out the words and figures "Expense of veterinarians, 2,850.00."

Amend line 93 by striking out the figures 4,300.00 and inserting in place thereof the figures 3,500.00.

Amend line 95 by striking out the figures 3,405.00 and inserting 2,500.00.

Amend line 113 by striking out the figures 3,700.00 and inserting 3,000.00.

Amend line 121 by striking out the figures 4,653.00 and inserting the figures 4,000.00.

Amend line 147 by striking out the figures 6,000.00 and inserting 3,500.00.

Amend line 168 by striking out the figures 2,475.00 and inserting the figures 1,000.00.

Amend line 190 by striking out the figures 4,075.00 and inserting the figures 3,000.00.

Amend lines 191 and 192 by striking out the whole thereof.

Amend line 193 by striking out the figures 2,625.00 and inserting the figures 2,000.00.

Amend line 194 by striking out the figures 627.95 and inserting the figures 400.00.

Amend line 196 by striking out the figures 3,740.00 and inserting the figures 3,000.00.

Amend line 203 by striking out the figures 6,045.00 and inserting the figures 3,500.00.

Amend line 220 by striking out the figures 6,175.00 and inserting the figures 4,500.00.

Amend line 228 by striking out the whole thereof.

Amend line 230 by striking out the figures 18,900.

Amend line 231 by striking out the whole thereof.

Amend line 233 by striking out the figures 13,335.00 and inserting the figures 8,000.00.

Amend line 239 by striking out the figures 7,590.00 and inserting the figures 4,000.00.

Amend line 240 by striking out the figures 4,484.00 and inserting the figures 2,000.00.

The question being on the amendments.

(Discussion ensued)

Mr. Moran of Nashua spoke in favor of the amendments. Mr. Hunter of Hanover spoke against the amendments.

On a *viva voce* vote the amendments were not adopted.

The bill was then ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amendments to House Bill No. 478.

Numbers of lines herein quoted refer to the printed bill.

Amend line 12, Other current expense, by striking out 1,838 and substituting 1,700.

Amend line 16, Clerical expense, by striking out 3,000 and substituting 2,750.

Amend line 17, Other current expense, by striking out 3,300 and substituting 3,100.

Amend by inserting a new line as follows: 17-A. For the fiscal year.

Amend by indenting the next three lines.

Amend line 23, Total by striking out 90,638 and substituting 90,050.

Amend line 205, Clerical expenses, by striking out 7,475 and substituting 7,525.

Amend line 214, Total, by striking out 37,637.95 and substituting 37,687.95.

Amend line 218, Clerical expenses, by striking out 12,610 and substituting 11,667.50.

Amend line 227, Fiske legacy, by striking out 1,066.14 and substituting 1,055.14.

Amend line 231, Total, by striking out 81,892.48 and substituting 80,938.98.

Amend line 144, Nurses and clerical salaries, by striking out 2,850 and substituting 2,000.

Amend line 145, Other current expenses, by striking out 1,970 and substituting 870.

Amend line 147, Salaries, by striking out 7,000 and substituting 8,000.

Amend line 148, Other expenses, by striking out 2,110 and substituting 3,110.

Amend line 153, Total, by striking out 74,575 and substituting 74,625.

Amend by inserting a new line as follows: 185-A. Division of Industrial Promotion, 5,000.

Amend line 183, Clerical expense, by striking out 10,665 and substituting 9,465.

Amend line 189, Total requirements, by striking out 79,982.50 and substituting 83,782.50.

Amend line 192, Net appropriations, by striking out 78,732.50 and substituting 82,532.50.

Amend line 209, Other current expenses, by striking out 24,355 and substituting 26,355.

Amend line 212, Total requirements, by striking out 81,955 and substituting 83,955.

Amend line 215, Net appropriation, by striking out 65,095 and substituting 67,095.

Amend line 240, For firemen's relief, by striking out 3,000 and substituting 4,000.

Amend line 244, For Prisoners' Aid Association, by striking out 400 and substituting 600.

The report was accepted.

The question being on the amendments.

(Discussion ensued)

Mr. Sanderson of Pittsfield spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 461, An act to name the highway between Winchester and Rindge.

House Bill No. 462, An act relating to bridges on trunk lines and state aided highways.

House Joint Resolution No. 73, (in new draft), Joint resolution for the installation of automatic sprinkler fire protection at the State House.

House Joint Resolution No. 137, Joint resolution in favor of Mrs. William J. Elson.

The message further announced that the Senate had recalled from the Governor House Bill No. 78 (in new draft), An act relating to alimony.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the pas-

sage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammel bridges.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Acquisition Authorized.* The governor and council are hereby authorized and empowered to acquire for the state, either by purchase or by eminent domain proceedings, real estate adjacent to the approaches of the General John Sullivan Memorial and the Alexander Scammel bridges necessary or suitable for park and recreational areas, as shown on plans filed in the office of the secretary of state entitled (1) Plan showing park areas at approaches to Gen. John Sullivan Bridge, and (2) Plan showing park area at westerly end of Alexander Scammel bridge, said land being situated in the city of Dover and the towns of Newington, Madbury and Durham.

Amend section 4 of said bill by striking out the words and figures "thirty-five thousand dollars ($35,000)" and inserting in place thereof the words and figures, forty thousand dollars ($40,000) so that said section as amended shall read as follows:

4. *Appropriation.* There is hereby appropriated a sum not exceeding forty thousand dollars ($40,000) for the purpose of acquiring and establishing said park and recreational areas and in addition the revenues accruing from the park and recreational areas shall be available for the use of the commission in maintaining and administering the areas. Any net income accruing from the operation of the areas shall be used for the payment of the principal or interest upon the bonds hereinafter authorized. It is the intent and purpose of this act that the cost of establishing and maintaining the said park and recreational areas shall be paid exclusively from the proceeds of the bonds hereby authorized, from

tolls accruing from the operation of the said bridges and from charges for the use of said areas.

Amend section 5 of said bill by striking out the words and figures "thirty-five thousand dollars ($35,000)" and inserting in place thereof the words and figures, forty thousand dollars ($40,000) so that said section as amended shall read as follows:

5. *Bonds Authorized.* The state treasurer is hereby authorized, under direction of the governor and council, to borrow upon the credit of the state not exceeding forty thousand dollars ($40,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue and all bonds shall be callable at any time after twelve years. Such bonds and notes shall contain an express guarantee which shall be deemed a contract on the part of the state, that toll will be collected for the use of the said General John Sullivan and Alexander Scammel bridges, in accordance with the provisions of chapter 64, Laws of 1933, until the date of maturity of said bonds and notes or until sufficient money shall have accumulated to pay said notes and bonds and the interest thereon at the dates of maturity, shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. None of the tolls from the operation of the said bridges shall be available for the payment of the principal and interest on the bonds hereby authorized until after all the bonds issued previous to the date of this act in accordance with chapter 64, Laws of 1933, have been paid. When such previously issued bonds have been paid, then the tolls from the operation of the

bridges shall be applied to the payment of the principal and interest on the bonds hereby authorized. In the event that the net income from the operation of the park and recreational areas shall not be sufficient to pay the interest on the bonds hereby authorized, such interest shall be paid from the highway funds, but when all the bonds issued pursuant to chapter 64, Laws of 1933, prior to the passage of this act have been retired, the highway fund shall be reimbursed the amount of interest paid by it in accordance with the provisions of this act.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 78, An act in amendment of chapter 121, Laws of 1935, establishing the New Hampshire Water Resources Board.

Amend the title of said bill by striking out the words and figures "in amendment of chapter 121, Laws of 1935, establishing" and inserting in place thereof the word, relative.

Amend section 1 of said bill by inserting at the end of the fourteenth line the words, as follows:

Amend section 5 of said bill by striking out the figure "7-a" in the third line.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

Amend section 1 of said bill by inserting after the figure "1931" in the third line the words and figures: and chapter 11 of the Laws of 1937.

On motion of Mr. Roche of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

LETTER OF APPRECIATION

The Speaker read the following letter:

I wish to extend to the Members of the House my sincere thanks and grateful appreciation for their thoughtful consideration in sending me the Resolutions with their kind expression of sympathy on the death of my Mother.

FRANCES C. BARNARD,
House Stenographer.

RESOLUTIONS

Mr. Dwyer of Manchester offered the following resolution:

Whereas, there is pending in the Congress of the United States, the Black-Conery bill, in regard to wages and conditions, forty hours maximum week and sixteen dollars minimum wage, therefore be it

Resolved, that the New Hampshire House of Representatives memorialize Congress to pass this same bill and

Be it Further Resolved, that a copy of these resolutions be sent to U. S. Senators H. Styles Bridges and Fred H. Brown, Congressmen Arthur B. Jenks and Charles W. Tobey.

On a *viva voce* vote the resolution was not adopted.

Mr. Dwyer asked for a division.

A division being taken 74 members voted in the affirmative and 173 members voted in the negative and the resolution was not adopted.

On motion of Mr. Jones of Lebanon the rules were

suspended and business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Jones of Lebanon the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the expenses of the year ending June 30, 1939.

House Bill No. 433 (in new draft), An act relative to athletic exhibition.

Severally read a third time and passed and sent to the Senate for concurrence.

Senator Bill No. 90, An act relative to exceptions to the laws regarding one day rest in seven.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Carr of Northwood at 12:46 o'clock the House adjourned.

THURSDAY, JUNE 3, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

RESOLUTION

On motion of Mr. Dubois of Laconia:

Resolved, That when the House adjourns today it be to meet at 9:00 o'clock on Friday morning and that when it

then adjourns it adjourns to meet at 6:00 o'clock on Monday evening.

REPORT OF THE COMMISSION ON COAST EROSION AND MARSH DEVELOPMENT

The Honorable Secretary of State appeared and laid before the House the report of the work of the Commission on Coast Erosion and Marsh Development.

The report was accepted.

On motion of Mr. Adams of Seabrook the clerk was instructed to procure 1000 copies of the report separately from the Journal.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 125, An act relating to appraisal of taxable property.

House Bill No. 461, An act to name the highway from Winchester to Rindge.

House Joint Resolution No. 73, Joint resolution for the installation of automatic fire protection at the State House.

House Joint Resolution No. 137, Joint resoltuion in favor of Mrs. William J. Elson.

Senate Bill No. 78, An act relative to the New Hampshire water resources board.

House Bill No. 438, An act to increase the salary of solicitor of Cheshire County.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 90, An act relative to exemptions to the law regarding one day rest in seven, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *One Day Rest in Seven.* Amend section 47 of chapter 176 of the Public Laws, as inserted by chapter 130 of the Laws of 1933, by adding at the end of paragraph III the words, or periodicals with definite on-sale newsstand dates, so that said section as amended shall read as follows:

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Bill No. 87 (In new draft and new title), An act relating to the forestry and recreation commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Adams of Seabrook for the Committee on Fisheries and Game, to whom was referred House Bill No. 356, An act regarding resident license fees to take fish and game, reported the same in new draft and with a new title with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Fisheries and Game.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an excess in county taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 480, An act relating to a state prison farm, with the recommendation that the bill be referred to the State Prison Committee.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on State Prison.

Mr. Piper of Franklin for the special committee consisting of the Delegation from the County of Merrimack, to whom was referred House Bill No. 479, An act relative to the issue of notes by the county of Merrimack, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out "1939 and 1940" and inserting the word and after 1937 in line four so that said section as amended shall read as follows:

1. *Issue Authorized.* The county commissioners of the county of Merrimack are hereby empowered and authorized to issue for and in behalf of said county, from time to time during the calendar years 1937 and 1938 short-time notes not exceeding in amount the sum of ninety-five thousand dollars ($95,000) for the purpose of refunding outstanding indebtedness of said county. Said short-time notes issued hereunder may be refunded by other short-time notes during said period at and for such times as the county commissioners may determine. From the proceeds of said notes the treasurer of said county shall pay such notes as are outstanding or indebtedness outstanding so far as the county commissioners shall determine. The time and

place of payment of said short-time notes, their denominations, the rate and times of interest payments thereon, their form, the manner of their sale and the prices at which they shall be sold shall be approved by the county commissioners.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

House Bill No. 448 (in new draft), An act in relation to the powers and duties of the Public Service Commission in regard to railroad crossings.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following bills in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 85, An act in relation to the operation of certain boats.

Amend section 1 of said bill by striking out the words "the public might" in the seventh line and inserting in place thereof the words, others may.

On motion of Mr. Hoyt of Sandwich the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Amend section 1 of said bill by inserting after the word "boats" in the fifth line the words, including as such.

Further amend said section by inserting a comma after the word "floats" in the sixth line.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 462, An act relating to bridges on trunk lines and state-aided highways.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Bridges.* Amend the first paragraph of section 2 of chapter 85 of the Public Laws, as amended by chapter 131 of the Laws of 1929, chapter 67 of the Laws of 1931 and section 3, chapter 26 of the Laws of 1935, by striking out the words "state-aided highway" and substituting therefor the words, any highway on the secondary system of highways as established by chapter 67 of the Laws of 1937. so that said paragraph as amended shall read as follows: When public convenience and necessity require the building or rebuilding of any bridge on any highway on the secondary system of highways as established by chapter 67 of the Laws of 1937, the cost thereof shall be borne as follows:

Amend the title of said bill by striking out the words, "trunk lines and state-aided highways" and inserting in place thereof the words, the secondary system of highways.

Amend section 2 of said bill by inserting after the word "Laws" in the first line the words, as amended by section 5, chapter 26, Laws of 1935.

On motion of Mr. Fairbanks of Newport the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of

the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

Amend the bill by striking out the whole of section 5 and renumbering sections 6 and 7 to read sections 5 and 6 respectively.

Amend the bill by striking out Section 2 and inserting in place thereof the following:

2. *Unfair Competition.* Any person who wilfully and knowingly advertises, offers for sale, sells or disposes of any commodity at less than the price stipulated in any contract entered into by him pursuant to the provisions of the preceding section is guilty of unfair competition and shall respond in damages at the suit of any person injured thereby.

On motion of Mr. Ahern of Concord the House voted to non-concur and ask for a committee of conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Etsler of Claremont, Ahern of Concord and Pulsifer of Campton.

House Bill No. 432, An act to establish a Water Control Commission.

Amend the bill by striking out section 101 and inserting in place thereof the following new sections: 101. *Towns May Acquire.* Amend section 4 of chapter 42 of the Public Laws by adding after paragraph XXVII the following new paragraph. XXVIII. *Acquire Dams.* To acquire, construct, control and operate dams at the outlet of any inland body of water, some part of which lies within the limits of the town, whether or not the outlet is beyond the town limits, when so to do will tend to improve the recreational value of such body of water.

108. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Baker of Concord the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 100, An act relating to control of navigation at Hampton harbor, the Inlet, so called, and Hampton river.

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

SENATE BILLS READ AND REFERRED

Senate Bill No. 100, An act relating to control of navigation at Hampton harbor, the Inlet, so called, and Hampton river.

The bill was read a first and second time and referred to the Committee on Coastwise Improvements.

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Ahern of Concord business in order at 3:00 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 87 (in new draft and new title), An act relating to the Forestry and Recreation Commission.

Mr. Seymour of Carroll moved that the bill be put back

upon its second reading for the purpose of amendment and with this motion pending moved that the bill be laid upon the table and made a special order for Tuesday, June 8, at 11:01 o'clock.

House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

House Bill No. 479, An act relative to the issue of notes by the county of Merrimack.

Severally read a third time and passed and sent to the Senate for concurrence.

RESOLUTION

Mr. Wylie of Concord offered the following resolution:

Whereas this House has learned of the death of Mark E. Warriner, a former member of this House, and the grandfather of Donald Saltmarsh of Concord, a present member of the House, be it

Resolved, that the Speaker appoint a committee to draw up suitable resolutions to be sent to the family of the deceased.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members of such committee Messrs. Ahern of Concord, Boutwell of Concord, Ball of Hopkinton, Baker of Concord, Brown of Bow, and Wylie of Concord.

On motion of Mrs. Cooper of Nashua at 11:42 o'clock the House adjourned.

FRIDAY, JUNE 4, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Mr. George H. Nash,
Concord, N. H.,

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige?

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, JUNE 7, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Mr. Carl D. Roche,
Keene, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige?

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JUNE 8, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Beede of Fremont was granted leave of absence for the day on account of illness.

Messrs. Fairbanks of Newport and McReel of Exeter were granted leave of absence for the day on account of important business.

Messrs. Jones of Monroe and Reynolds of Greenfield were granted leave of absence on account of a funeral.

COMMITTEE REPORTS

Mr. Monroe of Andover, for the Committee on Engrossed Bills, to whom was referred House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammell bridges, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by inserting after the word "maturity" in the fourteenth line the words, such bonds and notes.

On motion of Mr. Hoyt of Sandwich the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Monroe of Andover, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 111, An act relating to incorporation of insurance companies, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Insurance Companies.* Amend paragraph I of section 1 of chapter 272 of the Public Laws, as amended by chapter 135 of the Laws of 1931, by inserting after the word "bombardment" in the fifth line the words, impact by aircraft or vehicles, so that said paragraph as amended shall read as follows: I. On property and rents and use and occupancy, against loss or damage by fire, smoke, smoke smudge, lightning, earthquake, hail, windstorm or other action of the elements; explosion (other than the explosion of steam boilers or flywheels); riot, strike or civil commotion; bombardment; impact by aircraft or vehicles; breakage or leakage of apparatus erected for extinguishing fires and on such apparatus against loss or damage by accidental injury and against liability of the insured for loss or damage to property caused thereby.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Etsler of Claremont the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in amendment.

Mr. Chandler of Gorham, for the Committee on Appropriations, to whom was referred House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Plans to be Submitted and Approved.* Said tramway and its termini and other appurtenances shall be designed, constructed and located in such manner that the same shall cause no damage to the Old Man of the Mountain and the

immediate surroundings thereof and shall cause no substantial damage to the general scenic values in Franconia Notch and shall occasion no unnecessary destruction of forest growth in said area. Plans and specifications for the location and construction of such tramway, termini and appurtenances shall be submitted to the forestry and recreation commission and the governor and council and approved by them as complying with the provisions of this section, before construction thereof shall be commenced. No changes shall be made in such plans and specifications so approved until such changes have been likewise submitted to the forestry and recreation commission and the governor and council and so approved by them. Nothing herein shall be construed to restrict in any way the authority of the tramway commission in the management, operation and control of the tramway, nor to limit the right of the tramway commission to enter into contracts for construction or for other purposes.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Bonds or Notes Authorized.* The state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state, not exceeding two hundred and fifty thousand dollars ($250,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined by the governor and council but in no case shall they be later than twenty years from the date of issue. Such bonds or notes may be renewed from time to time by the issuance of other such bonds or notes in the same manner but the maturity dates of such renewed bonds or notes shall not be later than twenty years from the date of the issue of the original bond or note renewed thereby. All

such bonds or notes shall contain an express guarantee which shall be deemed a contract on the part of the state that fees, fares and tolls will be collected in accordance with the provisions hereof until the date of maturity of said bonds or notes, or the renewals thereof, or until sufficient money shall have accumulated to pay said notes or bonds and the interest thereon at the dates of maturity, shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

Amend section 9 of said bill by inserting in the first and fourth lines after the word "bonds" the words, or notes, so that said section as amended shall read as follows:

9. *Short Term Notes.* Prior to the issuance of bonds or notes hereunder the treasurer, under the direction of the governor and council, shall for the purposes hereof borrow

money from time to time on short term loans to be refunded by the issuance of the bonds or notes hereunder.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Revenue.* There shall be collected for carriage upon the tramway provided for herein and for other services made available therewith such fares, tolls and charges as the commission shall deem reasonable. Such sums as are so collected shall be deposited with the state treasurer who shall keep the same in a separate account and the operating expenses and upkeep of said tramway and services shall be paid from said account. From the balance of said account remaining after the payment of the operating expenses and upkeep the governor, with the approval of the council, shall pay the interest and principal of the bonds or notes issued hereunder. During the construction of the tramway the governor may, if necessary, draw his warrant upon the general fund to pay the interest due upon any bonds or notes that have been issued in accordance with the provisions hereof, but reimbursement for such payments shall be made to the general fund from revenue in the special fund herein created. When the principal and interest of all notes and bonds authorized hereunder have been paid or sufficient money has accumulated in said special fund to pay the same the balance of the special fund herein provided, after the payment of charges as herein authorized, shall be paid at such times as the governor and council shall direct into the general funds of the state.

The report was accepted.

The question being on the amendments.

Mr. Goodwin of Bethlehem moved that the bill and the accompanying amendments be referred to the next Legislature.

The question being on the motion of Mr. Goodwin.

(Discussion ensued)

Messrs. Goodwin of Bethlehem, Seymour of Carroll,

Callahan of Keene, McDonough of Dover, Studd of Berlin, Hoyt of Sandwich and Dickinson of Rochester spoke in favor of the motion.

Messrs. Baker of Concord, Sullivan of Manchester, Molloy of Nashua, Perley of Lebanon, Jones of Lebanon, and Hunter of Hanover and Mrs. Brungot of Berlin spoke aaginst the motion.

Mr. Seymour of Carroll asked for a division.

A division being taken 146 members voted in the affirmative and 174 members voted in the negative and the motion did not prevail.

Mr. Goodwin of Bethlehem demanded the yeas and nays and the roll was called with the following result:

YEAS 151

ROCKINGHAM COUNTY: Dagan, Havican, Fogg of Deerfield, Perkins of Hampton, Creighton, Palmer of Kensington, Pridham, Turcotte of Newmarket, Knowles, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Dondero, Kittredge, Badger, Marston, Drowne, Butterfield of Windham.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Durkin, Caswell, McDonough, Durnin, Blanchard, Whitehouse, Longley, Dustin, Cartier, Dickinson of Rochester, Varney, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Tarlson, Normandin, Cantin, Martin, Helms, O'Shea.

CARROLL COUNTY: Day, Huntress, Winkley, Hoyt of Sandwich.

MERRIMACK COUNTY: Courtemanche, Stearns of Concord, Kemp, Sturtevant, Matson, Maxham, Nutter of Epsom, Carignan, Lemire, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Carr, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Charois, Abbott of Hudson, Cummings of Lyndeborough, Greer, Knowlton, Gage, Woodbury of Manchester, Chevrette, Cullen, Aubin, Maker, Foster, Bernard, Vigneault, Berube, Moran, Ledoux, Lou-

gee, Maddox, Noel, Wilcox, Bouthillier, Poney, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Jones of Keene, Gates, Spaulding, Duffy, Roche, Hemenway, Tolman, Crane, Dubois of Swanzey, Barrett of Troy, King, Britton, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Gaffney, Putnam of Claremont, Quimby, Sheehan, Thomas, Brigham, Kempton, Rogers, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Graham, Perkins of Holderness, French, Sliney, Lufkin, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Barden, Collette, Moffett, Roy, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Bixby, Dugas, Dutil, Seymour, Felton, Ramsay of Colebrook, Parkhurst, Parker, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Fuller.

NAYS, 191

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Dickinson of Danville, Abbott of Derry, Hepworth, Fecteau, Tozier, Syphers, Emerson, Stevens, Nesmith, Estabrook of Newton, Mudge, Foote, Gray, Pray, Yeaton, Canty, Cogan, Rose, Gile, Manor, Peever, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, McCooey, Garland, Lucas, Richards, Caldwell, Jenkins, Colby.

BELKNAP COUNTY: Adams of Belmont, Hunt, Edgerly, O'Shan, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Quint, Head, Banfield, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow,

Coakley, Rivet, Baker, Boutwell, Mansur, Conlon, Nash, Saltmarsh, Tilton of Concord, Brunel of Concord, Wiley, Ahern, Donovan, Dempsey, Douphinett, Lovely, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Stearns of Hancock, Boynton, Cole, Smith of Hudson, Chase, Daniels, Barnard, Johnson of Manchester, Kimball, Casey, Dwyer, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Sullivan, Ward 6, Manchester, Farrell, Gorham, Hanley, Horan, Bouthiette, Constant, Farland, Poulin, Walsh, Lareau, Gallagher, Gaudreault, Kelley of Ward 11, Manchester, Caron, Letendre, Soucy, Lariviere, Lesmerises, St. Germain, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Marquis, St. Francois, Cormier, Molloy, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Tierney.

CHESHIRE COUNTY: Park, Hilton, Rice, Woodbury of Sullivan, Granger, Burbank of Winchester.

SULLIVAN COUNTY: Daly, Etsler, Hosking, Johnson of Cornish, Kelly of Newport, Osborne.

GRAFTON COUNTY: Hammond, Remick of Bristol, Pulsifer, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill. Titus, Perley, Hoyt of Lebanon, Jones of Lebanon, Madden, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Howard, Bell, Merrill of Plymouth, Sawyer of Woodstock.

COOS COUNTY: Mason, Brungot, Ramsey of Berlin, Myler, Dickson of Colebrook, Jordan of Errol, Chandler of Gorham, Willis, Cryan, Rix, Brown of Stratford.

And the motion did not prevail.

The question being on the amendments.

On a *viva voce* vote the amendments were adopted.

Mr. Hunter of Hanover offered the following amendment:

Amend section 3 by striking out the whole of said section and substituting therefor the following:

3. *Compensation.* The members of said commission, exclusive of salaried employes of the state, shall be paid eight dollars a day, each, for such time as they are actually engaged in the service of the state and their actual expenses.

The question being on the amendment,

(Discussion ensued)

Mr. Baker of Concord spoke in favor of the amendment.

Mr. Courtemanche of Allenstown asked for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

Mr. Seymour of Carroll offered the following amendments:

Amend section 2 of said bill by striking out the words "Cannon Mountain in the Franconia Notch" in the second and third lines, and insert therein the following words: "Mount Williard in the Crawford Notch."

Amend section 4 by striking out the words "Cannon Mountain in the Franconia Notch" in line 3, and inserting therein the following:

"Mount Williard in the Crawford Notch."

The question being on the amendments.

(Discussion ensued)

Mr. Seymour of Carroll spoke in favor of the amendments. Messrs. Hunter of Hanover and Jones of Lebanon spoke against the amendments.

On a *viva voce* vote the amendments were not adopted.

The bill was then ordered to a third reading.

On motion of Mr. Etsler of Claremont at two o'clock the House took a recess until 2:55 o'clock.

(After recess)

The House was called to order.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 120, Joint resolution in favor of Frank J. Page of Gilmanton, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 295, An act relating to the supervision of electricians, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of two hundred forty-eight dollars ($248) be allowed the Nashua Hospital Association and two hundred forty-five dollars ($245) be allowed Dr. Paul DeNicola, for hospital and doctor's bills arising from injuries sustained by John W. Hyland of Concord, from an accident which occurred on the state highway in the town of Pembroke on or about August 27, 1936. Said sums appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 470, An act

authorizing the town of Unity to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth for the Committee on Industrial School, to whom was referred House Bill No. 315, An act providing for an infirmary at the State Industrial School, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title ought to pass.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Sanderson of Pittsfield presented the following report:

The Committee of Conference, to whom was referred House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others, report the same with the recommendation that the Senate recede from its position in adopting its amendment and that the House recede from its position in adopting its amendment and adopt the following amendment:

Amend said resolution by striking out the word "Thornton" in line 14 and inserting in its place the word, Waterville, so that said resolution as amended shall read as follows:

That the sum of twenty four hundred eighty dollars ($2,480.00) be and the same is hereby appropriated to Plymouth Guaranty Savings Bank, in trust nevertheless for the purpose of investing and reinvesting the same and paying weekly from said principal sum and the interest accumulated thereon six dollars ($6.00) to Minnie Dolloff and four dollars ($4.00) to Donna Dolloff, her daughter, both of Thornton; the appropriation hereby granted be a settlement in full for the death of Edwin Dolloff of the town of Thornton who died as a result of an accident while build-

ing a state aid in the town of Waterville. Providing that the sum of four hundred and ninety-six dollars ($496.00) is paid by the town of Waterville, to be expended as follows: four hundred dollars ($400.00) of said sum to Minnie Dolloff, forty-six dollars ($46.00) to the Plymouth Memorial Hospital, and fifty dollars ($50.00) to Dr. R. P. Middleton of Plymouth. Said sums herein appropriated shall be a charge upon the highway funds.

ROBERT O. BLOOD,
AUSTIN L. CALEF,
Senate Conferees.

ROBERT H. SANDERSON,
CHARLES E. MAGOON,
A. RALPH ESTABROOK,
House Conferees.

On a *viva voce* vote the report was adopted.

Mrs. Charois of Greenfield presented the following:

The Committee of Conference, to whom was referred House Bill No. 6, An act relating to taking of raccoon, report the same with the recommendation that the Senate recede from its position in adopting its amendment, that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 3, chapter 200 of the Public Laws, as amended by section 4, chapter 124 of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

3. *Raccoons.* Raccoons may be taken and possessed with the aid or by the use of a dog and gun in Grafton County from October fifteen to December first, and in all the other counties of the state from October first to December first, and by the use of traps from November first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of

the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre long, or a pistol or revolver larger than thirty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

WILLIAM M. COLE,
C. A. ALLEN,
Senate Conferees.

ELIHU T. ADAMS,
JOSEPH A. DuBOIS,
BERNALETTE E. CHAROIS,
House Conferees.

On a *viva voce* vote the report was adopted.

RESOLUTIONS

Mr. Dickinson of Danville offered the following resolutions:

Whereas, the Portsmouth Naval Hospital is manned and equipped to take care of a large number of sick and disabled service men and war veterans; and

Whereas, since the so-called Economy Act of March, 1933, the use of the facilities of this institution have been restricted to men now in the service with the exception of an allotment of ten beds for use by the Veterans' Administration in hospitalizing World War Veterans suffering from acute disabilities requiring emergency treatment; and

Whereas, there are a large number of beds not being used at the Portsmouth Naval Hospital that in our opinion should be made available for general medical and surgical cases; and

Whereas, the veterans of the World War needing general medical and surgical attention are obliged to submit to treatment in hospitals outside the borders of the state, thus causing a great inconvenience and mental anguish not only to themselves but to their families; and

Whereas, most of these Veterans' Administration Facili-

ties outside of the state are in such a crowded condition that a patient is obliged to wait from three to six weeks before being admitted; therefore,

Be it Resolved, by the Senate and House of Representatives that we believe the war veterans of New Hampshire are entitled to the same consideration and fair treatment as are veterans of other states, and accordingly we urgently request the Administrator of Veterans' Affairs to make the necessary arrangements with the Navy Department for at least fifty (50) beds to be used by the Veterans' Administration in hospitalizing World War Veterans in this state in need of general medical and surgical attention; and

Be it Further Resolved, that a copy of this resolution be transmitted to Senator H. Styles Bridges, Senator Fred A. Brown, Congressman Charles W. Tobey, Congressman Arthur B. Jenks, with a request that they use their best efforts in connection with the purpose of this resolution.

RICHARD H. DICKINSON,
MARY C. DONDERO,
ABRAHAM L. DAVIS, JR.,
HENRY L. ESTABROOK,
JOHN F. TIERNEY.

On a *viva voce* vote the resolutions were adopted.

SPECIAL ORDER

Mr. Seymour of Carroll called for the special order.

House Bill No. 87 (in new draft and new title), An act relating to the forestry and recreation commission.

Mr. Seymour of Carroll moved that the bill be put back upon its second reading.

On a *viva voce* vote the motion prevailed.

Mr. Seymour offered the following amendment:

Amend section 7 by inserting after the word "state" in line 14 the words, at the time of the passage of this bill, so that said section as amended shall read as follows:

7. *Limitation.* Further amend chapter 192 of the Pub-

lic Laws by adding after section 6-c the following new section:

6-d. *Limitation.* The authority to furnish accommodations to the public on state forests and reservations, as provided by section 6-c, shall not be construed as authorizing the state forester to furnish sleeping accommodations to the transient public either in over-night cabins or in buildings owned by the state, provided that this limitation does not affect the leasing of buildings or cabins by the state at the time of the passage of this bill where the accommodations are furnished by the lessee.

The question being on the amendment.

(Discussion ensued)

Mr. Seymour of Carroll spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 479, An act relative to the issue of notes by the County of Merrimack.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 121, An act relating to sending of presidential check-lists to the State Library.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Senate Bill No. 110, An act relative to the powers of the School District of Hampton.

SENATE BILLS READ AND REFERRED

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Read a first and second time and referred to the Committee on Agriculture.

Senate Bill No. 110, An act relative to the powers of the School District of Hampton.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Tilton of Ward 4, Laconia, at 3:32 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 87 (in new draft and title), An act relating to the forestry and recreation commission.

House Bill No 470, An act authorizing the town of Unity to issue refunding notes or bonds.

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

The bill being in order for a third reading, Mr. Good-

win of Bethlehem moved that the bill be indefinitely postponed and on this motion asked for a division.

On motion of Mr. Jones of Lebanon at 3:45 o'clock the House adjourned, House Bill No. 474 going over into unfinished business.

WEDNESDAY, JUNE 9, 1937

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Rowe of Henniker was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 85, An act in relation to the operation of certain boats.

Senate Bill No. 93, An act providing for regulation of equipment and operation of boats on public waters.

Senate Bill No. 104, An act relating to the power of counties and towns to insure their property.

House Bill No. 462, An act relating to bridges on the secondary system of highways.

House Bill No. 479, An act relative to the issue of notes by the county of Merrimack.

The report was accepted.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 432, An act to establish a water control commission, reported the same under Joint Rule No. 6. with the following amend-

ments and the recommendation that the bill as amended ought to pass.

Amend section 14 of said bill by inserting before the word "water" in the second line the words, high or low.

Amend section 49 of said bill by striking out the words "the commission" in the fifth and sixth lines.

Amend section 57 of said bill by striking out the word "order" in the fourth line and inserting in place thereof the word, request: and by striking out the words "the order" at the end of said section and inserting in place thereof the words, such request.

Amend section 58 of said bill by striking out the word "order" in the first line and inserting in place thereof the word. request.

Amend section 73 of said bill by striking out the words, order issued under section 57 hereof or.

Amend section 100 of said bill by adding at the end thereof the words, which funds, for the purposes hereof shall not lapse until July 31, 1939.

Amend section 101 of said bill by striking out the first three lines and inserting in place thereof the following:

101. *Towns May Acquire.* Amend section 4 of chapter 42 of the Public Laws by inserting after paragraph XXVI the following new paragraph: XXVI-a. *Acquire Dams.*

On motion of Mr. Etsler of Claremont the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendments.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 14, Joint resolution in favor of L. A. Wyman of Lincoln, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said resolution by striking out in the first line the following: "eight thousand dollars ($8.000)" and inserting in place thereof the words and figures "five thousand dollars ($5,000)" so that said resolution as amended shall read: "That the sum of five thousand dollars ($5,000), is appropriated to pay the G. E. Robertson and Company of Hinsdale for damages caused to its plant and machinery by the Highway Department in the widening of the state road running from Hinsdale to Winchester and in the changing of the channel of the Ashuelot River. Said sum to be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gage of Manchester for the Committee on Claims, to whom was referred House Joint Resolution No. 135, Joint resolution in favor of Alfred J. Puccetti, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the workmen's compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 464, An act authorizing towns, cities and other municipal corporations to accept the workmen's compensation provisions of chapter 178 of the Public Laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tozier of Exeter, for the Committee on Labor, to whom was referred House Bill No. 465, An act enlarging the scope of the employers' liability and workmen's compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tozier of Exeter for the Committee on Labor, to whom was referred House Bill No. 309, An act relating to employers' liability and workmen's compensation, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bills Nos. 463, 464, 465.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 108, An act legalizing certain town meetings held in the town of Boscawen, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester, for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 113, An act relative to temporary number plates for motor cycles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 389, An act relative to the taxation of legacies and successions, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Amendment.* Amend section 1 of chapter 72 of the Public Laws as amended by chapter 130 of the Laws of 1935 by striking out all of the words after "subject" in the nineteenth line of said section and inserting in place thereof the words, to a tax at eight and one-half per cent of its value, for the use of the state; so that said section shall read as follows: 1. *Taxable Property; Rate.* All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to inhabitants of the therein, belonging to persons who are inhabitants of the state, which shall pass by will, or by the laws regula-

ing interstate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the father, mother, husband, wife, lineal descendant, adopted child, the lineal descendant of any adopted child, the wife or widow of a son, or the husband of a daughter, of a decedent, or to or for the use of educational, religious, cemetery, or other institutions, societies, or associations of public charity in this state, or for or upon trust for any charitable purpose in the state, or for the care of cemetery lots, or to a city or town in this state for public purposes, shall be subject to a tax at eight and one-half per cent of its value, for the use of the state.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 469, An act authorizing the Town of Weare to issue refunding notes or bonds.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 90, An act relative to exemptions to the law regarding one day rest in seven.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

Amend section 1 of said bill by striking out the words and figure "and 18" in the second line; by inserting after the word "limit" in the eleventh line the following:

2. *Speed Limit.* Amend said chapter 103 by inserting after section 17 as hereinbefore amended the following new sections:

Further amend said section 1 of said bill by renumbering the paragraph numbers from 18, 18-a, 18-b and 18-c to read, respectively 17-a, 17-b, 17-c and 17-d.

Further amend said bill by adding after section 1 the following new section:

3. *Repeal.* Section 18 of said chapter 103, as amended by chapter 76 of the Laws of 1927, relating to evidence of unlawful speed, is hereby repealed.

Further amend said bill by renumbering section 2 to read section 4.

On motion of Mr. Merrill of Exeter, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton.

Amend the bill by striking out section 2 thereof and substituting the following new sections:

2. *Exercise of Powers.* No vote or action by said district under or in pursuance of the powers herein granted shall be valid unless adopted or taken at a meeting of the legal voters of said district, duly called and held on some date between the fifteenth day of June and the first day of September in any year.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Adams of Seabrook the House voted to non concur and ask for a Committee of Conference. The Speaker appointed as members of such committee on the part of the House Messrs. Adams of Seabrook, Creighton of Hampton Falls and Wadleigh of Milford.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford.

SENATE BILL READ AND REFERRED

Senate Bill No. 124, An act relative to authorized bond issue by the town of Strafford.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Hart of Wolfeboro presented the following:

The Committee of Conference, to whom was referred House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie, report the same with the recommendation that the House recede from its position in adopting its

amendment and adopt the amendment sent down by the Honorable Senate.

ARTHUR J. CONNER,
EMMET J. KELLEY,
Senate Conferees.

H. H. HART,
ALBERT S. BAKER,
RAOUL L. RAMSAY,
House Conferees.

On a *viva voce* vote the report was adopted.

UNFINISHED BUSINESS

Mr. Hunter of Hanover called for unfinished business.

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon Mountain in the Franconia Notch.

The question being

Shall the bill be indefinitely postponed?

(Discussion ensued)

Messrs. Goodwin of Bethlehem, Dustin of Rochester, Seymour of Carroll, Graham of Canaan and Callahan of Keene spoke in favor of the motion.

Messrs. Hunter of Hanover, Baker of Concord and Jones of Lebanon and Mrs. Brungot of Berlin spoke against the motion.

Mr. Estabrook of Alstead moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the bill be indefinitely postponed?

Mr. Goodwin of Bethlehem demanded the yeas and nays and the roll was called with the following result:

YEAS—119

ROCKINGHAM COUNTY: Dagan, Fogg of Deerfield, Burbank of Derry, Tozier, Pridham, Badger, Gile, Drowne.

STRAFFORD COUNTY: Henderson of Dover, Chabot, Grimes, McDonough, Durnin, Blanchard, Whitehouse, Longley, Dustin, Dickinson of Rochester, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, Tarlson, Normandin, Cantin, Sanders, Helms, O'Shea.

CARROLL COUNTY: Day, Hoyt of Sandwich.

MERRIMACK COUNTY: Courtemanche, Stearns of Concord, Kemp, Butterfield of Concord, Sturtevant, Matson, Maxham, Nutter of Epsom, Carignan, Lemire, Fowler, Johnson of Hooksett, Mitchell, Ball, Merrill of Loudon, Carr, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Reynolds, Charois, Abbott of Hudson, Smith of Hudson, Chase, Greer, Knowlton of Manchester, Gage, Woodbury of Manchester, Aubin, Maker, Maddox, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Callahan, Graves, Knowlton of Keene, Jones of Keene, Park, Gates, Spaulding, Duffy, Roche, Hemenway, Tolman, Crane, Dubois of Swanzey, Barrett of Troy, King, Relihan, Britton, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Gaffney, Hosking, Putnam of Claremont, Quimby, Sheehan, Brigham, Kempton, Rogers.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Graham, Remick of Groton, Lufkin, Taylor, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Collette, Moffett, Roy, Montminy, Palmer of Berlin, Studd, Bixby, Dugas, Seymour, Felton, Ramsay of Colebrook, Parkhurst, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Fuller.

NAYS—191

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Dickinson of Danville, Abbott of Derry, Hepworth, Pillsbury, Fecteau, McReel, Merrill of Exeter, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Estabrook of Newton, Knowles, Mudge, Dondero, Foote, Gray, Pray, Yeaton, Cogan, Finnigan, Marston, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Hayes of Dover, McCooey, Richards, Caldwell, Jenkins, Colby, Bergeron, Lageux.

BELKNAP COUNTY: O'Shan, Guay, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Smith of New Hampton.

CARROLL COUNTY: Russell, Downs, Mudgett, Quint, Head, Huntress, Banfield, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Carter, Brown of Bow, Coakley, Rivet, Baker, Boutwell, Mansur, Conlon, Nash, Saltmarsh, Tilton of Concord, Wiley, Sharaf, Ahern, Piper, Dempsey, Douphinett, Dupont, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Stearns of Hancock, Boynton, Cole, Daniels, Barnard, Johnson of Manchester, Kimball, Casey, Dwyer, Talty, Clark of Manchester, Corey, Healy, Lacroix, O'Brien, Booth, Connelly, Arthur J., Ward 6, Manchester, Sullivan of Ward 6, Manchester, Fitzgerald, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Farland, Walsh, Driscoll, Gallagher, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Caron, Lariviere, St. Germain, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Marquis, Moran, St. Francois, Ledoux, Lougee, Cormier, Molloy, Wilcox, Bouthillier, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Tierney.

CHESHIRE COUNTY: Robertson, Hilton, Rice, Woodbury of Sullivan, Granger, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Daly, Etsler, Fairbanks, Kelly of Newport, Osborne.

GRAFTON COUNTY: Hammond, Remick of Bristol, Pulsifer, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perkins of Holderness, Titus, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Magoon, Bailey of Lyme, Jones of Monroe, Howard, Bell, Merrill of Plymouth, Houston, Sawyer of Woodstock.

COOS COUNTY: Mason, Brungot, Ramsey of Berlin, Snodgrass, Myler, Dickson of Colebrook, Jordan of Erroll, Chandler of Gorham, Willis, Parker, Cryan, Thompson of Lancaster, Rix, Brown of Stratford, Whitcher.

Mr. Cummings of Lyndeborough voting Yes; Mr. Noel of Nashua voting No.

Mr. Tuttle of Temple voting Yes and Mrs. Soper of Littleton voting No.

The motion did not prevail.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. McDonough of Dover desired to be recorded as having voted No.

RESOLUTION

Mrs. Dugas of Berlin offered the following resolution:

Resolved, That the Committee on Public Health be requested to report immediately on House Bill No. 434 (in new draft), An act relating to the practice of pharmacy and the sale of drugs; the report on said bill having been advertised in the Journal as of June 3.

The question being on the resolution.

(Discussion ensued)

Mr. Kelly of Newport spoke against the resolution.

Mr. Winslow of Chesterfield spoke in favor of the resolution.

On a *viva voce* vote the resolution was not adopted.

Mrs. Dugas of Berlin asked for a division.

A division being taken 183 members voted in the affirmative and 108 members voted in the negative and the resolution was adopted.

Mr. Moffett of Berlin moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

The Speaker instructed the committee to report the bill Thursday morning, June 10.

Mr. Moffett of Berlin moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Ahern of Concord business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 389, An act relative to the taxation of legacies and successions.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law.

House Bill No. 464, An act authorizing town, cities and other municipal corporations to accept the Workman's Compensation provisions of Chapter 178 of the Public Laws.

House Bill No. 465, An act enlarging the scope of the Employer's Liability and Workman's Compensation Law.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 108, An act legalizing certain town meetings held in the town of Boscawen.

Senate Bill No. 113, An act relative to temporary number plates for motor cycles.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTIONS

Mr. Wylie of Concord offered the following resolution:

Whereas this House has heard with sorrow of the death of Mark E. Warriner, a former member of the House, and long a prominent resident and public spirited citizen of Bow,

Therefore, be it resolved that this House extend its sincere sympathy to the bereaved family, and

*Be it Further Resolved, t*hat the Clerk of the House forward a copy of these sentiments to the members of Mr. Warriner's family.

WILLIAM J. AHERN,
ARTHUR J. BOUTWELL,
JOHN S. BALL,
ALBERT S. BAKER,
BURT BROWN,
CRAIG WYLIE,
Committee on Resolutions.

The resolutions were unanimously adopted by a rising vote.

On motion of Mr. Osborne of Sunapee at 1:20 o'clock the House adjourned.

THURSDAY, JUNE 10, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Pray of Portsmouth, Nash of Concord, Wadleigh of Milford and Boutwell of Concord, and Mrs. Rix of Shelburne, were granted leave of absence for the day on account of important business.

Mr. Chandler of Gorham was granted leave of absence for the day on account of attending a funeral.

RESOLUTION

On motion of Mr. Graves of Keene:

Resolved, That when the House adjourns this morning it adjourns to meet Friday morning at 9 o'clock and that when it then adjourns it adjourns to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cormier of Nashua, for the Committee on Coastwise Improvements, to whom was referred House Bill No. 207 (in second new draft and new title), An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Winslow of Chesterfield, for the Committee on Public Health, to whom was referred House Bill No. 434 (in new draft), An act relating to the practice of pharmacy and the sale of drugs, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

We, the undersigned, a minority of the Committee on Public Health, to whom was referred House Bill No. 434 (in new draft), An act relating to the practice of pharmacy and the sale of drugs, being unable to agree with the ma-

jority, reported the same with the recommendation that the bill ought to pass.

JOHN R. KELLY,
WARREN H. BUTTERFIELD,
FRED S. LOVELY,
LEONARD B. PEEVER,
P. J. KITTREDGE,
A Minority of the Committee.

Mr. Kelly of Newport moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, June 15, at 11:01 o'clock.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammell bridges.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bill and joint resolution:

House Bill No. 6, An act relating to taking of raccoon.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

On motion of Mr. Sanderson of Pittsfield business in order at 3 o'clock was made in order at the present time.

THIRD READING

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

Read a third time and passed and sent to the Senate for concurrence.

RESOLUTIONS

Mr. Woodbury of Manchester offered the following resolution:

Whereas, the Constitution of the United States was declared in effect the first Wednesday in March, 1789; and

Whereas appropriate and just recognition of that debt of gratitude Americans and others owe to the Constitution would have a healing effect upon the discord and hate being widely engendered, and would constitute an educational process of the first importance for young people and others,

Therefore, Be It Resolved that the Governor shall annually issue a proclamation to the citizens of New Hampshire declaring that the first Wednesday in March be known as Constitutional Government Day.

The question being on the resolution.

(Discussion ensued)

Mr. Woodbury of Manchester spoke in favor of the resolution.

Mr. Ahern of Concord desired the resolution referred to the Committee on Judiciary.

It was so referred by the Speaker.

Mr. Bergeron of Rochester offered the following resolution:

Whereas, this House has learned with sorrow of the death of Mrs. Domicile Turcotte, mother of Hervey Turcotte, representative from Rochester,

Be It Resolved that the speaker appoint a committee of four to draw up suitable resolutions of sympathy.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members on such committee, Messrs. Bergeron of Rochester, Marquis and Cormier of Nashua, and Mrs. Charois of Greenville.

On motion of Mr. Dickson of Colebrook at 11:27 o'clock the House adjourned.

MONDAY, JUNE 14, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Monday, June 14, 1937.

Mr. Philip P. Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,
Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

FRIDAY, JUNE 11, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, June 11, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,
Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

TUESDAY, JUNE 15, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Courtemanche of Allenstown was granted leave of absence for the day on account of important business.

Mr. Nash of Concord was granted leave of absence for the week on account of important business.

Mr. Sullivan of Ward 6, Manchester, was granted leave of absence for the day on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 90, An act relative to exceptions to the law regarding one day rest in seven.

Senate Bill No. 108, An act legalizing certain town meetings held in the town of Boscawen.

Senate Bill No. 111, An act relating to incorporation of insurance companies.

Senate Bill No. 113, An act relative to temporary number plates for motor cycles.

House Bill No. 121, An act relating to sending of presidential check-lists to the state library.

House Bill No. 336, An act relative to speed regulations for the operation of motor vehicles.

House Bill No. 400, An act relative to the improvement of the approaches to the General John Sullivan and Alexander Scammell bridges.

House Bill No. 448, An act in relation to the powers and duties of the public service commission in regard to railroad crossings.

House Bill No. 469, An act authorizing the town of Weare to issue refunding notes or bonds.

The report was accepted.

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 6, An act relating to taking of raccoon.

House Bill No. 59, An act relating to permits for entries to private cemeteries.

House Bill No. 432, An act to establish a water control commission.

House Bill No. 472, An act authorizing the county of Coos to reimburse the town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the town of Effingham to issue refunding notes or bonds.

House Joint Resolution No. 105, Joint resolution in favor of Peter LaJoie.

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 112, An act relating to the powers of the Public Service Company of

New Hampshire, reported the same with the recommendation that the bill ought to pas.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 115, An act relating to the John M. Hunt Home, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

SPECIAL ORDER

Mr. Jones of Lebanon called for the special order.

House Bill No. 434 (in new draft), An act relating to the practice of pharmacy and the sale of drugs.

Reported from the committee with the resolution that it is inexpedient to legislate.

A minority of the committee reported that the bill ought to pass.

The question being,

Shall the report of the minority be substituted for the report of the majority?

(Discussion ensued)

Messrs. Wylie of Concord, Ahern of Concord, Saltmarsh of Concord, Jones of Lebanon, and Dickinson of Danville spoke in favor of the motion.

Messrs. Winslow of Chesterfield, Conlon of Concord, Estabrook of Alstead, Perley of Lebanon, Hoyt of Sandwich, Wiggin of Tamworth, Davis of Ashland, Goodwin

of Bethlehem, Barnard of Manchester spoke against the motion.

Mr. Hanley of Manchester read a statement prepared by Mr. Sullivan of Ward 6, Manchester, who was unable to be present, in favor of the motion.

Mr. Winslow of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *vive voce* vote the previous question was ordered.

The question being,

Shall the report of the minority be substituted for the report of the majority?

Mr. Ahern of Concord asked for a division.

Mr. Kelly of Newport demanded the yeas and nays, but subsequently withdrew his demand.

A division being taken 111 members voted in the affirmative and 221 members voted in the negative, and the motion to substitute did not prevail.

Mr. Kelly of Newport renewed his demand for the yeas and nays and the roll was called with the following result:

YEAS, 122

ROCKINGHAM COUNTY: Dickinson of Danville, Fecteau, McReel, Palmer of Kensington, Pridham, Barrett of Portsmouth, Dondero, Kittredge, Foote, Gray, Pray, Yeaton, Cogan, Badger, Rose, Gile.

STRAFFORD COUNTY: McCooey, Dustin, Cartier, Lagueux.

BELKNAP COUNTY: O'Shan. Tilton of Ward 3, Laconia,

CARROLL COUNTY: None.

MERRIMACK COUNTY: Stearns of Concord, Kemp, Baker, Mansur, Butterfield of Concord, Saltmarsh, Wiley, Ahern, Donovan, Piper, Carignan, Lemire, Dempsey, Douphinett, Lovely, Dupont, Perkins of Pittsfield, Hill.

HILLSBOROUGH COUNTY: Daniels, Greer, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of

Manchester, Clougherty, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Lacroix, Mahoney, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Hanley, Horan, Bolton, Chevrette, Walsh, Driscoll, Lareau, Gaudreault, Kearns, Van Vliet, Aubin, Desruisseaux, Letendre, Boisvert, Lariviere, Lesmerises, St. Germain, Foster, Wadleigh, James, Berube, Marquis, Moran, St. Francois, Cormier, Molloy, Noel, Wilcox, Poney, Hafeli.

CHESHIRE COUNTY: Robertson, Sawyer of Jaffrey, Tolman, Dubois of Swanzey, Relihan, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Daly, Howe, Sheehan, Brigham, Kelley of Newport.

GRAFTON COUNTY: Jones of Lebanon, Madden, Magoon, Bell, Merrill of Plymouth, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Henderson of Berlin, Palmer of Berlin, Studd, Snodgrass, Dickson of Colebrook, Johnson of Northumberland.

Mr. Canty of Portsmouth, voting yes, paired with Mr. Seymour of Carroll, voting no.

Mr. Nutter of Rollinsford, voting yes, paired with Mr. Guay of Laconia, voting no.

Mr. Hunter of Hanover, voting yes, paired with Mr. Tilton of Ward 4, Laconia, voting no.

Mr. Sanderson of Pittsfield, voting yes, paired with Mr. Osborne of Sunapee, voting no.

NAYS, 215

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Tenney, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Tozier, Beede, Syphers. Emerson, Creighton, Stevens, Nesmith, Rousseau, Turcotte of Newmarket, Estabrook of Newton, Knowles, Fernald,

Palmer of Plaistow, Marston, Manor, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Henderson of Dover Chabot, Durkin. Garland, Lucas, McDonough, Durnin, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Colby, Dickinson of Rochester, Varney, Labonte, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, Hunt, Edgerly, Tarlson, Normandin, Hoyt of Laconia, Cantin, Dickson of Laconia, Newell, Sanders, Smith, of New Hampton, Helms.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Huntress, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Coakley, Rivet, Boutwell, Conlon, Sturtevant, Tilton of Concord, Brunel of Concord, Maxham, Sharaf, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Carr, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Healy, Gorham, Bouthiette, Constant, Farland, Poulin, Gallagher, Cullen, Kelley of Ward 11, Manchester, Caron, Soucy, Maker, Atherton, Cooper, Winslow of Nashua, Armington, Duclos, Bernard, Vigneault, Drumm, Ledoux, Lougee, Maddox, Corliss, Thompson of New Ipswich, Currier, Cummings of Peterborough, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Callahan, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Duffy,

Roche, Hemenway, Rice, Woodbury of Sullivan, Crane, Granger, Barrett of Troy, King, Britton, Horner.

SULLIVAN COUNTY: Chandler of Claremont, Etsler, Gaffney, Hosking, Putnam of Claremont, Quimby, Thomas, Johnson of Cornish, Cummings of Newport, Fairbanks, Kempton, Rogers, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, Hoyt of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Montminy, Ramsey, of Berlin, Bixby Dugas, Dutil, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Parker, Fogg of Milan, Marshall, Judd, Rix, Brown of Stratford, Whitcher.

And the motion to substitute did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Jones of Lebanon at 1:18 o'clock the House took a recess until 2:50 o'clock.

(After recess)

The House was called to order.

RESOLUTIONS

Mr. Marquis of Nashua presented the following resolutions:

RESOLUTIONS ON THE DEATH OF MRS. DOMICILE TURCOTTE

Whereas, Our Heavenly Father, in his infiinite wisdom, has called Home Mrs. Domicile Turcotte, mother of Hervey Turcotte, Representative from Rochester,

Be It Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Mr. Turcotte.

LOUIS S. BERGERON,
EMILE E. MARQUIS,
BERNADETTE E. CHAROIS,
RODOLPHE CORMIER,
Committee on Resolutions.

The resolutions were unanimously adopted by a rising vote.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 472, An act authorizing the County of Coos to reimburse the Town of Stewartstown for an excess in county taxes.

House Bill No. 473, An act authorizing the Town of Effingham to issue refunding notes or bonds.

House Joint Resolution No. 105, Joint resolution in favor of Peter Lajoie.

House Joint Resolution No. 136, Joint resolution in favor of the Lafayette Artillery Company of Lyndeborough.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 432, An act to establish a water control commission.

The message further announced that the Senate concurred with the House of Representatives in the passage of

the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 16, An act relating to hunting of deer.

Amend said bill by inserting before the word "Coos" in the eleventh line of section 1 the word, Carroll, so that said section 1, as amended, shall read as follows:

1. *Wild Deer.* Amend section 2 of chapter 198 of the Public Laws, as inserted by section 2, chapter 124, of the Laws of 1935, by striking out the whole of said section and inserting in place thereof the following: 2. *Taking, Time.* Wild deer, outside of private game preserves, may be hunted and taken after six a. m. and before five p. m. in the counties of Carroll, Coos and Grafton from November first, to December first, and in all other counties in the state from December first to December sixteenth, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

On motion of Mr. Etsler of Claremont the House concurred in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 78 (in new draft), An act relating to alimony.

Amend section 1 of the bill by inserting after the word "at" in line 16 the words, "any time after."

Further amend section 1 of the bill by inserting after the word, "order" in line 17 before the word, "petition" the words, "renewal or extension thereof."

Further amend section 1 of the bill by inserting after the word "years" in line 19 the words, "at any one time," so that said section as amended shall read as follows:

1. *Alimony; Period of Payment.* Amend section 16 of chapter 287 of the public laws by adding after the words "as may be deemed just" in line four the words, except in cases in which no children are involved, or in which the

children have reached the age of majority said order shall be effective for no more than three years consecutively, provided however that the party in whose favor the order is made may, at the expiration of any order, petition the court for an extension of said order and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years, so that said section as amended shall read as follows:

16. *Alimony, etc.* Upon a decree of nullity of divorce, the court may restore to the wife all or any part of her estate, and may assign to her such part of the estate of her husband, or order him to pay such sum of money, as may be deemed just, except that in cases in which no children are involved, or in which the children have reached the age of majority said order shall be effective for no more than three years consecutively, provided however that the party in whose favor the order is made may, at any time after the expiration of any order, renewal or extension thereof, petition the court for an extension of said order, and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years at any one time; and may compel the husband to disclose under oath, the situation of his property; and before or after the decree, may make such orders and use such process as may be necessary.

Amend section 2 of the bill by inserting after the word "at" in line 33 the words, "any time after," and after the word "order" before the word, "petition," the words "renewal or extension thereof." Further amend said section by inserting after the word "years" in line 36 the words "at any one time" so that said section as amended shall read as follows:

2. *Legal Separation; Duration of Order of Payment.* Further amend chapter 287 of the Public Laws by adding after section 25 a new section 25-a to read as follows:

25-a. *Orders of Payment.* In any case arising under sections 24 and 25 of this chapter in which no children are

involved or in which the children have reached the age of majority and in which allowance for separate maintenance or temporary alimony is made and the party in whose favor the allowance is made received the allowance for three years consecutively, or a fraction, the party shall not be entitled to further separate maintenance or temporary alimony against the same spouse, except for such portion of the three years as remains unexpired, provided however that the party in whose favor the order is made may at any time after the expiration of any such order, renewal or extension thereof, petition the court for an extension of said order and if justice requires and due cause be shown the court may extend such order for a further period of not over three consecutive years at any one time.

On motion of Mr. Chase of Manchester the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State of be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 106, An act relating to municipal water works.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

SENATE BILLS READ AND REFERRED

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 106, An act relating to municipal water works.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Severally read a first and second time and referred to the Committee on Revision of the Statutes.

On motion of Mr. Varney of Rochester at 3:30 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord, the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for aged women.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of McDonough of Dover at 3:23 o'clock the House adjourned.

WEDNESDAY, JUNE 16, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

LETTER FROM THE SPEAKER

The following letter was read by the Clerk:

Durham, N. H., June 16, 1937.

Hon. George D. Cummings,
Peterborough, N. H.

DEAR SIR:

I shall be unable to attend the sessions on Wednesday. Will you kindly preside for me and oblige,

Yours respectfully,

OREN V. HENDERSON,

Speaker.

LEAVE OF ABSENCE

Mr. Avery of Goffstown was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS

Mr. Tuttle of Atkinson for the Committee on Agriculture, to whom was referred Senate Bill No. 89, An act relating to the taxation of domestic rabbits, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 315 (new draft and new title), An act providing for infirmary

equipment at the State Industrial School, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in lines 1 and 2 the words and figures "five thousand dollars ($5,000)" and substituting in place theerof the words and figures, one thousand, six hundred sixty-nine dollars and twelve cents ($1,669.12), so that said joint resolution as amended shall read as follows:

That the sum of one thousand, six hundred sixty-nine dollars and twelve cents ($1,699.12) is appropriated to pay the G. E. Robertson and Company of Hinsdale for damages caused to its plant and machinery by the Highway Department in the widening of the state road running from Hinsdale to Winchester and in the changing of the channel of the Ashuelot river. Said sum to be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 481.

An act relating to clerk hire for the treasurer of Hillsborough county, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Malloy of Nashua the rules were suspended, the printing of the bill dispensed with and the bill referred to a special committee consisting of the delegation from the county of Hillsborough.

Mr. Adams of Seabrook for the Committee on Fisheries and Game, to whom was referred House Bill No. 409, An act relating to the lobster industry, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

Mr. Perkins of Holderness for the Committee on Fisheries and Game, to whom was referred House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 2;

Amend section 5 by striking out the whole thereof and inserting in its place the following:

5. Amend section 6 of said chapter 197 by striking out the whole of said section and inserting in place thereof the following:

6. *Automobiles.* No person shall take wild birds or wild animals from an automobile, vehicle, boat or craft of any kind propelled by any mechanical power. The presence of any person possessed of a loaded rifle, shotgun or game getter in such automobile, vehicle, boat or craft, shall be *prima facie* evidence that he has violated the provisions of this section. A loaded rifle, shotgun or game getter shall

include any rifle, shotgun or game getter with a magazine or clip in which there are loaded cartridges.

Amend section 6 of said bill by striking out the words "including bear" in line 4 and by adding at the end thereof the words, to be disposed of for the account of the fish and game department, so that said section as amended shall read as follows:

6. Amend chapter 197 by inserting after section 3 the following new section:

3a. No person shall have in his possession, while hunting any wild bird, or any wild animal, any jack or artificial lights, swivel, pivot or set gun, except as otherwise permitted. Any person convicted of illegal night hunting shall forfeit such firearms, jacks or other equipment used or usable in the illegal night hunting at the time of such violation together with the vehicle in which the same is being transported to be disposed of for the account of the fish and game department.

Amend by striking out the whole of sections 13, 17 and 27.

Further amend by inserting the following new sections to read as follows:

28. Amend section 1 of chapter 201 of the Public Laws as amended by section 5, chapter 124 of the Laws of 1935 by adding at the end thereof the following: Brook trout ten inches and over, may be taken in lakes and ponds, where trolling is permitted, for lake trout and salmon, from April fifteenth to May first in addition to the regular season therefor, so that said section as amended shall read as follows:

1. *Brook Trout.* Brook trout may be taken and possessed from May first to September first, and during the month of September by the use of artificial flies only, in Coos, Grafton and Carroll counties. Brook trout may be taken and possessed from May first to August first, and during the month of August by the use of artificial flies

only, in all of the other counties in the state. No person may take or possess brook trout less than six inches in length. No person may take more than twenty-five in number nor more than five pounds in weight when taken, in one day, provided so long as he has taken less than five pounds he shall be entitled to one additional fish. No person may have in his possession at one time a total of more than two days' legal catch of brook trout. Brook trout, ten inches and over, may be taken in lakes and ponds, where trolling is permitted, for lake trout and salmon, from April fifteenth to May first in addition to the regular season therefor.

29. Amend section 7 of chapter 155 of the laws of 1935 as amended by paragraph IV, section 4, chapter 96, Laws of 1937 by inserting after the word "lake" in line 2 the words, Hatchery, Bixbie or Patch brook, so called, in the town of Warren, from the Baker river to the elm tree in the Bixbie pasture, and all tributaries of same except the Hurricane brook, so that said paragraph as amended shall read as follows:

IV. Fowler river, between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, Hatchery, Bixbie or Patch brook, so called, in the town of Warren, from the Baker river to the elm tree in the Bixbie pasture, and all tributaries of same except the Hurricane brook, North Branch of the Gale river and all tributaries above Littleton Water Supply dam in Bethlehem and Franconia.

Further amend said section by inserting after the word "Belmont" in line 4 of paragraph VIII the words, all tributaries of Sunapee lake in the towns of Sunapee, Newbury and New London so that said paragraph as amended shall read as follows:

VIII. Sand Hill brook in Auburn, Derry and Londonderry, Smith brook in Pittsburg from the dam to the main river, Spring pond brook in Bennington, streams between

Tioga, Sargent and Badger reservoirs in Belmont, all tributaries of Sunapee lake in the towns of Sunapee, Newbury and New London, all tributaries of Swift Diamond river in Dartmouth College Grant, all tributaries of Taggart brook in Peterborough.

Further amend said section by striking out the whole of paragraph IX and inserting in its place the following:

IX. Three Pond brook in Rumney, Trout brook, the inlet of Post pond in Lyme, up-stream from the pond for a distance of approximately two miles to the falls, all tributaries of Tunnel stream in Benton and its tributaries of Taggart brook in Peterborough, Twitchell brook, flowing east into the Androscoggin river, West branch watershed of the Ammonoosuc river, tributaries of Kilkenney, including the West Branch.

The report was accepted.

On motion of Mrs. Mason of Berlin the bill was laid upon the table in order that the amendments might be printed in the Journal.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 466, An act to provide for co-operation by the State with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend said bill by siriking out the whole of sections 1, 2 and 3 and inserting in place thereof the following:

1. *Acquisition of Lands and Rights for Reservoirs.* In the acquisition of lands, easements and rights of way in the state of New Hampshire, provided in and by the terms of the compact or agreement between the state, the Com-

monwealth of Massachusetts and the states of Connecticut and Vermont for the purpose of flood control in the Connecticut River basin, to be procured by the state, the New Hampshire Water Resources Board shall be the agency of the state for that purpose. Said board is authorized and empowered, upon the request of the Connecticut River Valley Flood Control Commission, with the approval of the Governor and Council, to proceed forthwith to acquire title to and possession of such lands, easements and rights of way, including property or facilities in public use, any railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structure located thereon, within this state as are determined and designated by the commission for the construction of any reservoir or reservoirs authorized under said compact or agreement. Said board shall acquire the same, including such property or facilities in public use, either by purchase or by the exercise of the right of eminent domain, as said commission may direct. In the taking of such lands, easements, rights of way or property or facilities in public by the exercise of eminent domain, said board is hereby authorized and empowered to proceed in the manner provided by chapter 121 of the Laws of 1935 and amendments thereto.

Said board is further authorized and empowered, with the approval of the governor and council, to enter into any contract or agreement with such public officials having authority with reference to property or facilities in public use and with such public utility or railroad providing for the removal of such property or facilities in public use, or such railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structures to such new location, under such terms and conditions as may be agreed upon, and without expense to such town, person, public utility or railroad, and said board for the purpose of providing any such new location or locations may acquire lands,

easements, rights of way, property or facilities by purchase or by eminent domain, as herein provided. In all such cases the title may be taken either in the name of the board or of the town, person, public utility or railroad, and if taken in the name of the board, may be conveyed to the town, person, public utility or railroad in compliance with such agreement or contract.

Said board shall keep an accurate account of all expenditures made or costs incurred in the acquisition of lands, easements, rights of way, property or facilities as aforesaid, and the same shall be included as a part of the cost of acquisition to be paid by the Connecticut River Valley Flood Control Commission.

2. *Lands, Easements and Rights of Way, Lease of.* Upon the acquisition of any such lands, easements and rights of way essential to the construction of any dam or reservoir authorized under said compact, and the full payment by the Connecticut River Valley Flood Control Commission of the cost of acquisition thereof, the said board, for and in behalf and as agent of the state for that purpose, and in its name, shall make, with the approval of the Governor and Council, execute and deliver to The Connecticut River Valley Flood Control Commission a good and sufficient lease of the same upon the conditions and subject to all the provisions and restrictions set forth in article VI of said compact.

3. *Relocations.* Said board, upon notice from and at the sole expense of The Connecticut River Valley Flood Control Commission shall make or cause to be made such relocations of highways and other property or facilities in public use as may become necessary because of the construction, operation and maintenance of any reservoir or reservoirs authorized under said compact. In the relocation of such highways, the State Highway Commissioner, upon notice from said board, shall forthwith determine the character, location, route and construction of the same, provided, however, that before the relocation of state aid and town highways, it shall be the duty of the highway commis-

sioner to consult and co-operate with the local officials of the towns in which said highways are located, and said board thereafter may acquire any necessary lands, easements and rights of way therefor in the manner provided in section 1 hereof. In the relocation of other property or facilities in public use, the board, after consultation with the selectmen or other public officials having authority with reference thereto for changing the location of such, shall forthwith determine the relocation thereof, and may acquire any necessary lands, easements and other property or facilities necessary therefor, in the manner provided in section 1 hereof.

An accurate record of the cost of relocating such highway or highways or other property or facilities in public use, including the cost of acquisition of any lands, easements, rights of way or other property necessary thereto, and any expense incidental to the same, shall be kept, and the cost and expense thereof shall be paid by The Connecticut River Valley Flood Control Commission in accordance with the terms of said compact or agreement; provided, however, that due allowance shall be made on account of any improved type of construction of such relocated highway or other property or facilities in public use. In the event that the board and The Connecticut River Valley Flood Control Commission can not agree as to the cost and expense to be paid by The Connecticut River Valley Flood Control Commission on account of such highway relocation or other property or facilities in public use, either party may apply by petition to the Superior Court of the county wherein such highway or other property or facilities in public use, or some part thereof is located, to fix and determine the same, and, upon hearing, said court shall thereupon ascertain and adjudge the amount thereof.

The report was accepted.

Mr. Baker of Concord explained the provisions of the amendments.

On motion of Mr. Jones of Lebanon the reading of the amendments was dispensed with.

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire, the Commonwealth of Massachusetts, and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 6 and 7 and inserting in place thereof the following:

6. *Commissioners, Compensation.* The governor and council shall determine the compensation of said commissioners. Each member of said commission appointed by the governor and council who does not hold a salaried state office while he is a member thereof shall be compensated not to exceed fifteen dollars per day for each day's service performed by him in connection with his duties as such member.

7. *Bond and Notes Authorized.* For the purpose of carrying out the provisions of Article IX of said compact or agreement relating to the payment by the state to The Connecticut River Valley Flood Control Commission of the proportionate share of the state in the cost of acquisition of lands, easements and rights of way for the reservoirs therein provided as the initial plan, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state sums not exceeding one hundred and thirty-five thousand dollars ($135,000) in all and for that purpose may issue bonds and notes in the name of and on behalf of the state of New

Hampshire at a rate of interest to be determined by the governor and council at the time of approval of the issue, said interest to be payable semi-annually. The maturity dates of such bonds and notes shall be not later than January 1, 1955. Such bonds and notes shall be in such form and such denominations and with such provisions for call or redemption as the governor and council may determine, may be registerable as to both principal and interest, shall be countersigned by the governor and council and shall be deemed a pledge of the faith and credit of the state.

8. *Accounts.* The secretary of state shall keep an account of all such bonds and notes as countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

9. *Sale; Disposition of Proceeds.* The treasurer may negotiate and sell such bonds and notes by direction of, and in such manner, as the governor and council deem most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes set forth in section 7 alone. The governor, with the advice and consent of the council, shall draw his warrants for the payment, from the funds provided for herein, of all sums expended or due for the purposes set forth in section 7.

10. *Payment.* The bonds and notes authorized by section 7 shall be a charge upon the sinking fund as constituted by chapter 126 of the Laws of 1931.

11. *Short Term Notes.* Prior to the issuance of bonds hereunder, the treasurer, under the direction of the governor and council, may for the purposes as set forth in section 7, borrow money from time to time on short term loans to

be refunded by the issuance of the bonds hereunder, provided that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one hundred and thirty-five thousand dollars ($135,000).

Further amend said bill by renumbering sections 8 and 9 to read 12 and 13.

The report was accepted.

Mr. Baker of Concord explained the provisions of the amendments.

On motion of Mr. Jones of Lebanon the reading of the amendments was dispensed with.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Special Committee consisting of the Committee on Appropriations and Judiciary, to whom was referred House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after line 39 a new paragraph as follows:

In the purchase or acquisition of lands, easements and rights of way hereunder the actual occupants thereof since May 1, 1937, whether owners or tenants, shall be paid fair compensation for any loss occasioned thereby and any such occupant who moves to a new location in the state shall be reimbursed for costs of removal occasioned by such purchase or acquisition. If the amount of damage herein provided is not agreed upon by the parties it shall be determined by the Superior Court upon petition therefor.

So that said section as amended shall read as follows:

1. *Acquisition of Lands and Rights for Reservoirs.* In

the acquisition of lands, easements and rights of way in the State of New Hampshire, provided in and by the terms of the compact or agreement between the State and the Commonwealth of Massachusetts for the purpose of flood control in the Merrimack River Basin, to be procured by the state, the New Hampshire Water Resources Board shall be the agency of the state for that purpose. Said board is authorized and empowered, upon the request of the Merrimack River Valley Flood Control Commission, with the approval of the Governor and Council, to proceed forthwith to acquire title to and possession of such lands, easements and rights of way, including property or facilities in public use, any railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structure located thereon, within this state as are determined and designated by the commission for the construction of any reservoir or reservoirs authorized under said compact or agreement. Said board shall acquire the same, including such property or facilities in public use, either by purchase or by the exercise of the right of eminent domain, as said commission may direct. In the taking of such lands, easements, rights of way or property or facilities in public by the exercise of eminent domain, said board is hereby authorized and empowered to proceed in the manner provided by chapter 121 of the Laws of 1935 and amendments thereto.

Said board is further authorized and empowered, with the approval of the Governor and Council, to enter into any contract or agreement with such public officials having authority with reference to property or facilities in public use and with such public utility or railroad providing for the removal of such property or facilities in public use, or such railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structures to such new location, under such terms and conditions as may be agreed upon, and without expense to such town, person,

public utility or railroad, and said board for the purpose of providing any such new location or locations may acquire lands, easements, rights of way, property or facilities by purchase or by eminent domain, as herein provided. In all such cases the title may be taken either in the name of the board or of the town, person, public utility or railroad, and if taken in the name of the board, may be conveyed to the town, person, public utility or railroad in compliance with such agreement or contract.

In the purchase or acquisition of lands, easements and rights of way hereunder the actual occupants thereof since May 1, 1937, whether owners or tenants, shall be paid fair compensation for any loss occasioned thereby and any such occupant who moves to a new location in the state shall be reimbursed for costs of removal occasioned by such purchase or acquisition. If the amount of damage herein provided is not agreed upon by the parties it shall be determined by the Superior Court upon petition therefor.

Said board shall keep an accurate account of all expenditures made or costs incurred in the acquisition of lands, easements, rights of way, property or facilities as aforesaid, and the same shall be included as a part of the cost of acquisition to be paid by the Merrimack River Valley Flood Control Commission.

The report was accepted.

Mr. Baker of Concord explained the provisions of the amendments.

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Sanderson of Pittsfield for the Special Committee consisting of the Committees on Appropriations and Judiciary, to whom was referred House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood con-

trol in the Merrimack River Basin and for carrying out the provisions of said agreement or compact, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 7 and inserting in place thereof the following new sections:

7. *Bonds and Notes Authorized.* For the purpose of carrying out the provisions of Article X of said compact or agreement relating to the payment by the state to the Merrimack Valley Flood Control Commission of the proportionate share of the state in the cost of acquisition of lands, easements and rights of way provided for herein the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state sums not exceeding one million one hundred forty-three thousand dollars ($1,143,000) in all and for that purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council at the time of approval of the issue, said interest to be payable semi-annually. The maturity dates of such bonds and notes shall be not later than January 1, 1955. Such bonds and notes shall be in such form and such denominations and with such provisions for call or redemption as the governor and council may determine, may be registerable as to both principal and interest, shall be countersigned by the governor and council and shall be deemed a pledge of the faith and credit of the state.

8. *Accounts.* The secretary of state shall keep an account of all such bonds and notes as countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold,

the amount received for the same, the date of the sale and the date of maturity.

9. *Sale; Disposition of Proceeds.* The treasurer may negotiate and sell such bonds and notes by direction of, and such manner as, the governor and council deem most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes set forth in section 7 alone. The governor, with the advice and consent of the council, shall draw his warrants for the payment, from the funds provided for herein, of all sums expended or due for the purposes set forth in section 7.

10. *Payment.* The bonds and notes authorized by section 7 shall be a charge upon the sinking fund as constituted by chapter 126, of the Laws of 1931.

11. *Short Term Notes.* Prior to the issuance of bonds hereunder, the treasurer, under the direction of the governor and council, may for the purposes as set forth in section 7, borrow money from time to time on short term loans to be refunded by the issuance of the bonds hereunder, provided that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one million one hundred forty-three thousand dollars ($1,143,000).

Further amend said bill by renumbering sections 8 and 9 to read sections 12 and 13, respectively.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds.

The message also announced that the Senate had voted to

accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the Town of Hampton, and the President has appointed on the part of the Senate, Senators Wilson and Doe.

On motion of Mr. Smith of Hudson the rules were suspended to allow for the presentation of a committee which had not previously been advertised in the Journal.

Mr. Badger of Portsmouth for the Committee on State Prison, to whom was referred House Bill No. 480, An act relating to a state prison farm, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

On motion of Mr. Jones of Lebanon business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Jones of Lebanon the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes.

House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin

and for carrying out the provisions of said agreement or compact.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the Commonwealth of Massachusetts relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford.

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Roche of Keene at 12:06 o'clock the House adjourned.

THURSDAY, JUNE 17, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

RESOLUTION

On motion of Mrs. Bixby of Berlin,

Resolved, that when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock, and that when it then adjourns it adjourns to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro, with the recommendation that the bill be referred to the Committee on Towns and Counties.

The report was accepted and the bill read a first and second time.

On motion of Mr. Hart of Wolfboro the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Hart.

(Discussion ensued)

Mr. Hart of Wolfboro spoke in favor of the motion.

On a *viva voce* vote the affirmative prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 389, An act relative to the taxation of legacies and succession.

Amend the bill by striking out section 1 and inserting in place thereof the following:

Amend Section 1 of Chapter 72 of the Public Laws as amended by chapter 130 of the laws of 1935:

1. *Taxable Property Rate.* All property within the jurisdiction of the state real or personal, and any interest therein, belonging to inhabitants of the state, and all real estate within the state, or any interest therein, belonging to persons who are not inhabitants of the state, which shall pass by will or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person absolutely, or in trust, shall be subject to a tax at three per cent of its value, for the use of the state.

On motion of Mr. Sanborn of Wakefield the House voted to non concur and ask for a Committee of Conference.

The Speaker appointed as members on such committee on the part of the House Messrs. Sanborn of Wakefield, Hunter of Hanover and Osborne of Sunapee.

On motion of Mr. Ahern of Concord at 11:32 o'clock the House adjourned.

FRIDAY, JUNE 18, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, June 18, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,
OREN V. HENDERSON,
Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, JUNE 21, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Monday, June 21, 1937.

Mr. Philip Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JUNE 22, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Gage of Manchester was granted leave of absence for the day on account of important business.

Mr. Barnard of Manchester was granted leave of absence for the week on account of important business.

Mr. Butterfield of Concord was granted leave of absence until further notice on account of important business.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 112, An act relating to the powers of the Public Service Company of New Hampshire.

Senate Bill No. 115, An act relating to the John M. Hunt Home.

Senate Bill No. 116, An act relating to the Mary E. Hunt Home for Aged Women.

Senate Bill No. 124, An act relative to an authorized bond issue by the town of Strafford.

House Bill No. 16, An act relating to hunting of deer.

House Bill No. 470, An act authorizing the town of Unity to issue refunding notes or bonds.

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

Senate Joint Resolution No. 6, Joint resolution in favor of Paul E. Bourque.

The report was accepted.

Mr. Monroe of Andover for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 89, An act relating to the taxation of domestic rabbits, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Taxation of Personal Property.* Amend section 14 of chapter 60 of the Public Laws by inserting after paragraph IX, as inserted by chapter 38 of the Laws of 1933,

the following new paragraph: X. *Domestic Rabbits.* Domestic rabbits of every description over two months old in excess of the aggregate value of fifty dollars.

The report was accepted.

On motion of Mr. Tuttle of Temple the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line eleven the words "of not less than nine months each," so that said section as amended shall read as follows:

1. *Practice of Medicine.* Amend section 10 of chapter 204 of the Public Laws by inserting after the word "school" in the ninth line the words, and has completed an interneship, approved by the board, of not less than twelve months, so that said section as amended shall read as follows:

10. *Applicants.* The board shall admit to examination any applicant who pays a fee of twenty dollars and submits satisfactory evidence in writing, verified by oath if required, that he is more than twenty-one years of age, of good moral character, has completed satisfactorily two years' work in college, or has a preliminary education considered and accepted by the board as fully equivalent, has studied the treatment of human ailments not less than four school years in a medical school maintaining at that time a standard satisfactory to the board, and has graduated from such school and has completed an interneship, approved by the board, of not less than twelve months. The provisions

of this section may be suspended in whole or in part by order of the board on account of war or other threatened or existing national calamity.

On motion of Mr. Baker of Concord the amendment was adopted.

The bill was then ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 483, An act relative to Constitutional Government Day, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Joint Resolution:

A resolution making Constitutional Government Day a legal holiday, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

BILL FORWARDED

House Bill No. 409, An act relating to the lobster industry.

Taken from the table and ordered to a third reading.

TAKEN FROM THE TABLE

House Bill No. 457, An act relating to general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides.

Taken from the table.

The question being on the amendments reported by the committee.

Mrs. Mason of Berlin moved that the bill and accompanying amendments be indefinitely postponed.

The question being on the motion of Mrs. Mason.

(Discussion ensued)

Mr. Dickinson of Rochester spoke in favor of the motion.

Messrs. Adams of Seabrook and Perkins of Holderness spoke against the motion.

Mrs. Mason of Berlin withdrew her motion.

On a *viva voce* vote the amendments were adopted.

Mr. Seymour of Carroll offered the following amendments to House Bill No. 457:

Amend section 6 by striking out the whole of said section.

Amend section 7 by striking out all after the word "so" in line 7 so that said section as amended shall read as follows:

7. Amend section 24 of said chapter 197 by striking out all of said section and inserting in place thereof the following:

24. *Killing by Land Owner.* A person may pursue, wound or kill, on land owned or occupied by him, any wild bird or wild animal, which he finds in the act of doing actual and substantial damage to his property, and he may authorize a member of his family or a person employed by him, to do so.

The question being on the amendments.

(Discussion ensued)

Messrs. Seymour of Carroll and Cummings of Lyndeborough spoke in favor of the amendment. Messrs. Perkins of Holderness and Adams of Seabrook spoke against the amendment.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk an-

nounced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 474, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 471, An act changing the name of Long pond to Lake Winnetaucook.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 411, An act providing for special grill room licenses to first class hotels.

Amend section 1 of the bill by inserting after the word "hotel" in the tenth line the following, registered for food or lodging; so that said section as amended shall read:

1. *First Class Licenses.* Amend chapter 3 of the Laws of the Special Session of 1934 by inserting after section 20 the following new section: 20-a. *Special Grill Room Licenses.* The commission may issue a special grill room license to any first class hotel which has qualified as such under the provisions of section 19 hereof, as amended by chapter 131 of the Laws of 1935, which special license shall entitle the licensee to serve liquor or beverages to guests of the hotel registered for food or lodging in a grill room upon the payment of an additional license fee of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) per year, the amount of the fee to be fixed by the commission. The commission shall have authority to grant, regulate, suspend, or revoke said special licenses without

affecting any other licenses that may have been granted to said hotel for the sale of liquor or beverages. No such grill room shall have a door or entrance of any kind leading directly to or from any street, public way, or the outside of said hotel.

Mr. Woodbury of Manchester moved that the House non concur in the amendment sent down from the Honorable Senate.

Mr. James of Nashua moved to amend the motion by inserting the words "and ask for a Committee of Conference."

Mr. Woodbury refused to accept the amendment.

The question being on the motion of Mr. James.

Mr. Callahan of Keene moved that action on the amendment be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

The question being on the motion of Mr. James.

On a *viva voce* vote the motion prevailed.

The question being on the motion of Mr. Woodbury as amended.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Bailey of Haverhill, Magoon of Littleton and Coakley of Concord.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 119, An act to protect borrowers.

Senate Bill No. 127, An act to amend chapter 284 of the Public Laws relating to the sale of securities.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

SENATE BILLS READ AND REFERRED

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 137, An act to amend chapter 284 of the Public Laws relating to the sale of securities.

Read a first and second time and referred to the Committee on the Revision of the Statutes.

Senate Bill No. 119, An act to protect borrowers.

Read a first and second time.

Mr. Dickinson of Danville moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Dickinson.

(Discussion ensued)

Messrs. Dickinson of Danville, Callahan of Keene, Molloy of Nashua, and McDonough of Dover spoke in favor of the motion.

Messrs. Sanderson of Pittsfield, Kearns of Manchester, Saltmarsh of Concord, and Etsler of Claremont and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Saltmarsh of Concord asked for a division.

A division being taken 245 members voted in the affirmative and 78 members voted in the negative and the bill was indefinitely postponed.

On motion of Mr. Ahern of Concord business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were

suspended and the third readings of bills by their titles made in order.

House Bill No. 409, An act relating to the lobster industry.

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game licenses and registration of guides.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

ADDRESS

Mr. Eugene J. Sullivan, former Speaker of the Wyoming House of Representatives, addressed the House.

On motion of Mrs. Robertson of Hinsdale at 1.00 o'clock the House adjourned.

WEDNESDAY, JUNE 23, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Chandler of Gorham was granted leave of absence for the week on account of illness in family.

Mr. Magoon of Littleton was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Cummings of Newport for the Committee on Appropriations, to whom was referred House Bill No. 480, An act relating to a state prison farm, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Etsler of Clairemont for the Committee on Rules, reported the following entitled bill, House Bill No. 484, An act to amend the charter of the city of Nashua, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Molloy of Nashua the rules were suspended, the printing of bill dispensed with and the bill referred to a special committee consisting of the delegation from the city of Nashua.

Mr. Ahern of Concord for the Committee on Rules, reported the following entitled bill, House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Danforth of Acworth moved that the printing of the bill and its reference to a committee be dispensed with and the bill made in order for a third reading at the present time but subsequently withdrew his motion.

Mr. Adams of Seabrook for the Committee on Fisheries and Game, to whom was referred House Bill No. 356, in new draft and with a new title, An act relative to license

fees for taking fish and game, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in its place the following:

1. *Fishing and Hunting Licenses.* Amend section 5, chapter 203 of the Public Laws as inserted by section 7, chapter 124, Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

5. *Application; Fees.* The applicant shall fill out and subscribe to a blank to be furnished by the director to said agent, and pay him the following fees, in addition to his fee of fifteen cents, as provided in section 6:

I. If the applicant is a resident of this state, and wishes to hunt and fish two dollars and thirty-five cents, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals and fish, under the restrictions of this title.

II. If the applicant is a resident of this state and wishes to take fur-bearing animals by the use of traps, five dollars, and the department shall thereupon issue a trapping license, which shall entitle the licensee to take fur-bearing animals by the use of traps and sell and transport them under the restrictions of this title.

III. If the applicant is a non-resident and wishes to hunt and fish, fifteen dollars, and said agent shall thereupon issue a non-resident hunting and fishing license conferring the privileges enumerated in paragraph I.

IV. If the applicant is a non-resident and wishes to take fresh water fish only, three dollars and eighty-five cents, and the agent shall thereupon issue a non-resident fishing license which shall entitle the licensee to kill, take and transport fresh water fish under the restrictions of this title, provided that if said applicant wishes to take said fish for three consecutive days, one dollar and thirty-five cents,

and the agent shall thereupon issue a non-resident fishing license for said time only, under the restrictions of this title.

V. If the applicant is a non-resident and wishes to take fur-bearing animals by the use of traps, fifty dollars, and the agent shall thereupon issue a non-resident trapping license, which shall entitle the licensee to take fur-bearing animals by the use of traps and sell and transport them, under the restrictions of this title.

2. *Licenses for Fur-Buyers.* Amend section 13 of chapter 203 as inserted by section 7, chapter 124, Laws of 1935, by striking out the whole of said section and inserting in place thereof the following:

13. *Applications; Fees.* The applicant shall fill out and subscribe to a blank to be furnished by the director, and pay therefor the following fees:

I. If the applicant is a resident of this state, five dollars and the director shall thereupon issue a resident fur-buyer's license which shall entitle the licensee to buy and sell, in one county in the state, the furs and skins of fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of this title. The director may grant such licenses for more than one county upon the payment of an additional fee of five dollars for each county specified. The director may grant such licenses for the entire state upon the payment of a fee of thirty-five dollars.

II. If the applicant is a non-resident of this state, seventy-five dollars, and the director shall thereupon issue a non-resident fur-buyer's license which shall entitle the licensee to buy throughout the state the furs and skins of fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of this title.

3. *Takes Effect.* This act shall take effect January 1, 1938.

The report was accepted.

The undersigned, a minority of the Committee on Fisheries and Game, to whom was referred House Bill No. 356, in new draft and title, An act relative to license fees for

taking fish and game, being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

EDITH D. BANFIELD,
WILLIAM W. COREY,
BERNADETTE E. CHAROIS,
A Minority of the Committee.

Mrs. Banfield of Moultonborough moved that the report of the minority be substituted for the report of the majority and with the motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, June 29, at 11:01 o'clock.

The question being on the motion of Mrs. Banfield.

(Discussion ensued as to time)

Mrs. Banfield of Moultonborough spoke in favor of the motion.

Messrs. Guay of Laconia and Adams of Seabrook spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mrs. Banfield of Moultonborough moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mrs. Banfield.

(Discussion ensued)

On motion of Mr. James of Nashua each speaker was limited to five minutes.

Mrs. Banfield of Moultonborough and Mr. Seymour of Carroll spoke in favor of the motion.

Messrs. Perkins of Holderness Carpenter of Wolfboro, James of Nashua, Sanderson of Pittsfield, Dickinson of Rochester, Dubois of Swanzey, and Dempsey of Franklin spoke against the motion.

Mr. Winslow of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *vive voce* vote the previous question was ordered.

The question being,

Shall the report of the minority be substituted for the report of the majority?

Mrs. Banfield of Moultonborough asked for a division.

A division being taken, 74 members voted in the affirmative, and 159 members voted in the negative, and the motion to substitute did not prevail.

The question being on the amendment reported by the committee.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 184, An act to regulate the keeping of live wild animals.

House Bill No. 204 (in new draft and with new title), An act relating to liability insurance.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 453, An act relative to non-resident truck owners.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution. with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

Amend said resolution by adding at the end thereof the words, and shall be in full settlement of said claims, so that said resolution as amended shall read as follows:

That the sum of two hundred forty-eight dollars ($248) be allowed the Nashua Hospital Association and two hundred forty-five dollars ($245) be allowed Dr. Paul DeNicola, for hospital and doctor's bills arising from injuries sustained by John W. Hyland of Concord from an accident which occurred on the state highway in the town of Pembroke on or about August 27, 1936. Said sums appropriated shall be a charge upon the highway funds and shall be in full settlement of said claims.

On motion of Mr. Baker of Concord the House adopted the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 389, An act relative to the taxation of legacies and succession, and the President has appointed on the part of the Senate, Senators Wilson and Simpson.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 254 (in second new draft), An act creating a Department of State Police.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Qualifications of Superintendent; Salary.* The superintendent shall be a citizen of the United States and have had experience in investigation of crime and criminal prosecution at the time of his appointment. Said superintendent shall give bond, in such sum as the governor and council

may determine, for the faithful discharge of his duties. The annual salary of said superintendent shall be four thousand dollars.

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6. *Superintendent's Authority.* Any police employee may be suspended, discharged or demoted by the superintendent for cause but shall be entitled to a public hearing if he so requests.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Power to Make Regulations.* The superintendent shall have authority, with the approval of the governor and council, to make such reasonable rules and regulations as may be desirable for the efficient administration of the department. He shall from time to time, in accordance with any such rules and regulations which may be adopted, designate or change the rank or grade to be held by any or all employees. He shall have authority, within the limits of the appropriation for said department, to employ such civilian employees as may be necessary and shall have authority to determine the duties of all employees and to determine what employees shall give bonds and in what sums.

Amend section 11 of said bill by striking out the same and inserting in place thereof the following:

11. *Rewards Paid to Treasury.* Any fee for the performance of an act in line of duty or reward for the apprehension or the conviction of any person, or for the recovery of any property, received by or payable to any employee, shall be paid by him to the superintendent who shall immediately forward the same to the state treasurer. All fines and costs assessed against any violator of law apprehended or prosecuted by a police employee, except such as may be assessed against persons committing or attempting to commit a felony, shall be sent, by the court

collecting the same from such law violator to the superintendent within five days from their payment, and by him immediately paid into the state treasury.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following:

12. *Co-operation with Other Police Forces.* The superintendent and employees shall co-operate and exchange information with any other law enforcement agency both within and without this state, including federal authorities, for the purpose of preventing and detecting crime and apprehending criminals. The superintendent may, on the request of any responsible official of any such agency, assist such official by detailing to him such police employees, for such length of time and under such conditions as the superintendent may deem proper.

Amend section 13 of said bill by striking out the same and inserting in place thereof the following:

13. *Authority and Duties of Police Employees.* Police employees shall be *ex-officiis* constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto and the superintendent shall report to the commissioner of motor vehicles all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the superintendent shall immediately make a report to the solicitor and the sheriff of the county in which the offense was, or was suspected of being, com-

mitted and such cases shall be investigated and prosecuted by said county officials with the co-operation of said police employees.

Amend section 14 of said bill by striking out the same and inserting in place thereof the following:

14. *Power to Take Identification Data.* The employees shall have authority to take fingerprints and, in addition thereto, such identification data as shall be prescribed by the superintendent of all persons taken into custody by them in the discharge of their duties.

Amend section 16 of said bill by striking out the same and inserting in place thereof the following:

16. *Restrictions in Municipalities.* A police employee shall not act within the limits of any town or city having an organized police force, except when he witnesses a crime or is in pursuit of a law violator or suspected violator, or when in search of a person wanted for a crime committed outside its limits, or when in search of a witness of such a crime or when requested to act by an official of another law enforcing agency, as provided under section 12, or when ordered by the governor.

Amend section 17 of said bill by striking out the same.

Amend section 18 of said bill by renumbering, striking out the same and inserting in place thereof the following:

17. *Transfer of Equipment and Personnel.* The equipment and records of the state investigator acquired pursuant to chapter 152 of the Laws of 1933 and all motor vehicles, motorcycles, uniforms, all side arms and all other equipment owned by the state and heretofore used in connection with the motor vehicle department for highway patrol work shall be transferred to the department. The initial personnel of the department shall be made up from such motor vehicle examiners as have under existing law been heretofore assigned by the motor vehicle commissioner as a special uniformed division for highway patrol work and the personnel of the department of the state investi-

gator who shall, at the time of the passage of this act, be transferred to and become employees of the department.

Amend said bill by renumbering section 19 to read section 18.

Amend said bill by renumbering sections 20 to 24, inclusive, to read sections 19 to 23, inclusive, respectively.

Mr. Wadleigh of Milford moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion of Mr. Wadleigh.

Mr. Mansur of Concord moved to amend the motion by striking out the word "concur" and substitute in place thereof the words "non concur and ask for a Committee of Conference."

Mr. McDonough of Dover moved that the bill and amendments be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by Mr. Mansur of Concord.

(Discussion ensued)

Messrs. McDonough of Dover and Mansur of Concord spoke in favor of the amendment.

Messrs. Molloy of Nashua, Callahan of Keene and Etsler of Claremont spoke against the amendment.

Mr. Winslow of Nashua moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Mansur of Concord.

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the House concurred in the amendments sent down from the Honorable Senate.

Mr. McDonough of Dover asked for a division.

A division being taken 184 members voted in the affirm-

ative and 32 members voted in the negative and the House concurred.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 126, An act relating to equipment of trailers and semi-trailers.

SENATE BILLS READ AND REFERRED

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Read a first and second time and referred to the Committee on the Revision of the Statutes.

Senate Bill No. 126, An act relating to equipment of trailers and semi-trailers.

Read a first and second time and referred to the Committee on Transportation.

COMMITTEE REPORTS

Mr. Smith of Haverhill presented the following report:

The Committee of Conference to whom was referred House Bill No. 324, An act relating to payment of wages, report the same with the recommendation that the House recede from its position of non-concurrence and accept the amendments sent down by the Honorable Senate.

HERBERT E. SMITH,
PLACIDE J. LAGUEUX,
Conferees on part of the House.

HOWARD H. HAMLIN,
ROBERT O. BLOOD,
Conferees on part of the Senate.

On a *viva voce* vote the report was adopted.

On motion of Mr. Ahern of Concord the rules were sus-

pended and business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 356, An act relative to license fees for taking fish and game.

House Bill No. 480, An act relating to a state prison farm.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Mrs. Banfield of Moultonborough offered the following resolution:

Whereas, This House has learned of the death of George A. Simpson, a former legislator and attache, therefore be it

Resolved, That the Speaker appoint a committee of three to draw up suitable resolutions of sympathy.

MRS. EDITH D. BANFIELD,
CHARLES B. HOYT,
JOHN WHITE.

On motion of Mr. Hunter of Hanover at 12:50 o'clock the House adjourned.

THURSDAY, JUNE 24, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

RESOLUTION

On motion of Mrs. Dugas of Berlin

Resolved, That when the House adjourns this morning it be to meet Friday morning at 9 o'clock and that when it then adjourns it adjourns to meet Monday evening at 6 o'clock.

COMMITTEE REPORT

Mr. Munroe of Andover for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 254, An act creating a department of state police.

The report was accepted.

RESOLUTIONS

Mrs. Banfield of Moultonborough offered the following:

RESOLUTIONS ON THE DEATH OF GEORGE A. SIMPSON OF CENTER HARBOR

Whereas, this House has learned with regret of the passing of George A. Simpson, formerly Representative from Center Harbor and attache of the House of Representatives, therefore be it

Resolved, that the members of the House express their appreciation of his record of faithful public service during past sessions of the New Hampshire General Court, and be it further

Resolved, that we express our heartfelt sympathy to the bereaved family and that the Clerk transmit to them a copy of these resolutions.

EDITH D. BANFIELD,
CHARLES B. HOYT,
JOHN WHITE.
Committee on Resolutions.

The resolutions were unanimously adopted by a rising vote.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 353 (in new draft), An act relating to fly fishing.

Amend paragraph 1, line 9 by adding after the word, "inlet" the words, "and tributaries," so that said paragraph as amended shall read as follows:

1. Armington lake in Piermont, Beaver pond in Woodstock, Clarksville pond in Clarksville, East inlet and tributaries to Second Connecticut lake in Pittsburg, Coon, Brook bog in Pittsburg, the Connecticut river from the First Connecticut Lake dam to the covered bridge at the Archie Heath place, so-called, in Pittsburg.

Further amend the bill by adding a new paragraph to be numbered VIII to read as follows:

VIII. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less

than two pounds he shall be entitled to one additional fish.

On motion of Mr. Adams of Seabrook the House voted to non-concur and ask for a Committee of Conference. The Speaker appointed as members of such committee on the part of the House, Messrs. Adams of Seabrook, Dubois of Swanzey and Dempsey of Franklin.

House Bill No. 167 (in new draft), An act relating to the taking of fish.

Amend the bill by inserting a new section 2 to read as follows:

2. Amend section 15 of chapter 201 of the Public Laws, as inserted by section 5 of chapter 124 of the Laws of 1935, by striking out the whole of said section 15 and inserting in place thereof the following: 15. *Smelt.* Fresh water smelt may be taken and possessed by means of a dip net, held in the hand, and for bait by means of a circular drop net not more than forty-eight inches in diameter. A person may take a total of not more than five pounds of fresh water smelt between twelve o'clock noon in one day and twelve o'clock noon the following day. They may be bought and sold only for use as bait.

Further amend the bill by re-numbering section 2 to read section 3.

On motion of Mr. Adams of Seabrook the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 324, An act relating to payment of wages.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster.

SENATE BILL READ AND REFERRED

Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster.

Read a first and second time and referred to the Committee on Fisheries and Game.

On motion of Mr. Soper of Littleton at 11:18 o'clock the House adjourned.

FRIDAY, JUNE 25, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, June 25, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, JUNE 28, 1937.

The House met at 6:00 o'clock.

The following letter was read by the Clerk:

Monday, June 28, 1937.

Mr. Philip P. Caswell,
Dover, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige?

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JUNE 29, 1937.

The House met at 11:00 o'clock.
Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Kimball of Manchester was granted leave of absence for the day on account of important business.

Mr. Greer of Manchester was granted leave of absence on account of illness in the family.

Mr. Brunelle of Haverhill was granted leave of absence for Wednesday on account of important business.

Mr. Tolman of Nelson was granted leave of absence from June 30 to July 13 on account of hospitalization.

Mr. Kempton of Newport was granted leave of absence for the week on account of sickness.

Mr. Courtemanche of Allenstown was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on En-

grossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 89, An act relating to the taxation of domestic rabbits.

Senate Bill No. 122, An act relative to the powers of the New Hampshire Fire Insurance Company.

House Bill No. 204, An act relating to liability insurance.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the workmen's compensation law.

House Bill No. 467, An act ratifying a proposed agreement or compact between the state of New Hampshire and the commonwealth of Massachusetts, the state of Connecticut and the state of Vermont, relating to the creation of the Connecticut River Valley Flood Control Commission. providing for flood control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 476, An act ratifying a proposed agreement or compact between the state of New Hampshire and the commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for flood control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

House Joint Resolution No. 74, Joint resolution in favor of John W. Hyland.

The report was accepted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 110, An act relative to the powers of the school district of Hampton, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua for the special committee con-

sisting of the delegation from the county of Hillsborough, to whom was referred House Bill No. 481, An act relating to clerk hire for the treasurer of Hillsborough County, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Adams of Seabrook presented the following report:

The Committee of Conference, to whom was referred House Bill No. 353 (in new draft), An act relating to fly fishing, report the same with the following recommendation:

That the House concur with the Senate in adopting its amendment and that the Senate concur with the House in adopting its amendment providing that the following amendment be adopted:

Amend Paragraph VI by inserting in line 2 before the word "Scott's" the words, Scobie's pond in Derry, so that said paragraph as amended shall read as follows: VI. Sawyer pond in Livermore, Scobie's pond in Derry, Scott's bog in Pittsburg, Swift river in Tamworth, Stonehouse pond in Barrington, Upper pond in Ellsworth, Three ponds in Ellsworth and Warren.

WILLIAM M. COLE,
W. B. HANSON,
Senate Conferees.

ELIHU T. ADAMS,
JOSEPH A. DUBOIS,
JOHN P. DEMPSEY,
House Conferees.

On a *viva voce* vote the report was adopted.

RESOLUTIONS

Mr. Caron of Manchester offered the following resolution:

Resolutions forbidding legislators from obtaining employment directly or indirectly by the N. H. Jockey Club, Inc.,

while the 1937 N. H. House of Representatives is still doing business and has not yet adjourned.

Whereas, instructions were given the members of this body by the Honorable Speaker of this House a short time ago that all members should attend every legislative day in order to complete as soon as possible the work of the present session.

Resolved, That the cost of every legislative day is approximately $3000. to the taxpayers of this state, and the legislators should be here making laws instead of being at the race track while there is pending some very important administration bills before this House which mean so much to the citizens, also the taxpayers of this state, yet you will find several representatives on the payroll of the N. H. Jockey Club, Inc.

And, Be It Further Resolved, That the members of said House of Representatives shall not be allowed to be employed by the New Hampshire Jockey Club, Inc., during the 1937 legislature of the General Court.

The question being on the resolution .

(Discussion ensued)

Mr. Caron of Manchester spoke in favor of the resolution.

Mr. Callahan of Keene offered the following amendment.

Amend the resolution by adding to it the following:

And no member of the General Court or its attaches shall be employed in any capacity by the State Board of Liquor Commissioners, by the state Racing Commission or in any rack track under its supervision, or any department of the state of New Hampshire or any agencies functioning under any state department.

On a *viva voce* vote the amendment was not adopted.

The question being on the resolution offered by Mr. Caron of Manchester.

(Discussion ensued)

Messrs. Dickinson of Danville and Molloy of Nashua spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Caron of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Graham of Canaan offered the following resolution:

Whereas, It appears that all necessary legislative work may be easily accomplished by Thursday, July 8, instant, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Thursday, July 8, instant, at 5 o'clock in the afternoon.

Be It Further Resolved, That all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

On a *viva voce* vote the resolution was adopted.

Mr. Dickinson of Rochester offered the following resolution:

Resolved, That no member of this House shall speak more than five minutes on any measure without the consent of the House.

The question being on the resolution.

(Discussion ensued)

Mr. Jones of Lebanon spoke in favor of the resolution.

Mr. McDonough of Dover spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 105, An act relating to observance of the Lord's Day.

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

Senate Bill No. 121, An act in amendment of section 25-a of chapter 60 of the Public Laws relating to exemptions from taxation.

SENATE BILLS READ AND REFERRED

Senate Bill No. 105, An act relating to observance of the Lord's Day.

Read a first and second time and referred to the Committee on the Revision of the Statutes.

Senate Bill No. 121, An act in amendment of section 25-a of chapter 60 of the Public Laws relating to exemptions from taxation.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

Read a first and second time and referred to the Committee on Appropriations.

The message further announced that the Senate had passed the following resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 5, Joint resolution in favor of the Supreme Court.

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

SENATE JOINT RESOLUTIONS READ AND REFERRED

Senate Joint Resolution No. 5, Joint resolution in favor of the Supreme Court.

Read a first and second time and referred to the Committee on Appropriations:

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

Read a first and second time and referred to the Committee on Public Health.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of Stream Flow Gauging Stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

House Bill No. 433 (in new draft), An act relating to athletic exhibitions.

House Bill No. 463, An act relating to the amount of compensation that may be paid weekly for disability under the Workmen's Compensation Law.

House Bill No. 464, An act authorizing towns, cities, and other municipal corporations to accept the Workingmen's Compensation provisions of chapter 178 of the Public Laws.

House Bill No. 466, An act to provide for co-operation by the State with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the States of Connecticut and Vermont and for other purposes.

House Bill No. 467, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, the State of Connecticut and the State of Vermont, relating to the creation of

the Connecticut River Valley Flood Control Commission, providing for Flood Control in the Connecticut River Basin and for carrying out the provisions of said agreement or compact.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

House Bill No. 476, An act ratifying a proposed agreement or compact between the State of New Hampshire and the Commonwealth of Massachusetts, relating to the creation of the Merrimack River Valley Flood Control Commission, providing for Flood Control in the Merrimack River Basin and for carrying out the provisions of said agreement or compact.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 464, An act authorizing towns, cities and other municipal corporations to accept the Workmen's Compensation provisions of Chapter 178 of the Public Laws.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Workmen's Compensation.* Amend chapter 178 of the Public Laws by inserting after section 4 the following new section:

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 402 (in new draft), An act creating a Probation Department.

Amend the bill by striking out section 5 and substituting therefor the following:

5. *Probation Officers Selected and Assigned.* Probation officers shall be appointed by the board upon the recommendation of the director from a list found qualified by the board. Such officers shall be assigned to and reside in counties or districts of the state to be designated by the board. For a period of two years from the passage of this act no more than four probation officers shall be appointed by the board. However, municipal courts in towns having a population of over five thousand shall and other courts may appoint one or more qualified probation officers for their respective courts. Such officers shall be subject to supervision by the board and each shall hold his office during the pleasure of the board.

Further amend said bill by striking out section 7 and substituting therefor the following:

7. *Bonds.* Before performing any official duty each state probation officer shall give a suitable bond at the expense of the state.

Further amend the bill by striking out section 10 and substituting therefor the following:

10. *Investigation Required.* No defendant shall be placed on probation until the report of the investigation by a probation officer shall have been presented to and considered by the court having jurisdiction. Whenever a petition for the adoption of or the appointment of a guardian over a minor under eighteen years of age is filed in any court of probate, the judge thereof may cause an investiga-

tion and report to be made by a probation officer for his consideration.

Further amend said bill by adding at the end of section 15 the following new section:

16. *Authority Limited.* This act shall not be construed as authorizing any public official, agent, or representative in carrying out any of the provisions of this act to take charge of any child over the objection of either of the parents of such child or of the person standing in *loco parentis* to such child, except pursuant to a court order.

Further amend said bill by renumbering sections 16, 17 and 18 to be 17, 18 and 19 respectively.

On motion of Mr. Etsler of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 277, An act relating to marriage.

Amend House Bill No. 277 by striking out all that follows the enacting clause thereof and substituting in place thereof the following:

SECTION 1. Amend chapter 286 of the Public Laws by adding the following new sections: 22a. No application for a marriage license shall be accepted by any town clerk until there shall be in the possession of such town clerk a statement or statements signed by a licensed physician that each applicant has submitted to a Wassermann or Kahn or other similar standard laboratory blood test and that, in the opinion of such physician, the person is not infected with syphilis or in a stage that may become communicable and such statements shall be accompanied by a record of the standard laboratory blood tests made, which record shall

contain the exact name of such applicant. A standard laboratory blood test shall be a laboratory test for syphilis approved by the state department of health and shall be performed by said department on request of a licensed physician or at a laboratory approved by it, such test to be made not more than thirty days before the issuance of the marriage license. 22b. *Penalty.* Any person failing to comply with the provisions of the foregoing section shall forfeit sixty dollars for each such failure. The certificate filed with the city or town clerks shall not be considered as part of the marriage record but a confidential report.

SECT. 2. Amend section 24 of chapter 286 of the Public Laws by striikng out the whole thereof and substituting in place of it the following: 24. '*Shortening Period.* On application to a justice of the superior court, or judge of probate within the county where the proposed marriage is to be solemnized, the court for good cause shown may order that the period of five days provided in the preceding section be shortened as in the order provided and for like cause such judge may waive the provisions of section 22a above.

SECT. 3. *Takes Effect.* This act shall take effect October 1, 1938.

Mr. Kelly of Newport moved that the House concur in the amendment sent down from the Honorable Senate.

Mr. McDonough of Dover offered the following amendment. Amend the motion by striking out the word "concur" and insert in place thereof the words "non concur and ask for a Committee of Conference."

The question being on the amendment offered by Mr. McDonough.

(Discussion ensued)

Messrs. McDonough of Dover, Callahan of Keene and Wilcox of Nashua spoke in favor of the amendment.

Mr. Kelly of Newport spoke against the amendment.

Mr. Hart of Wolfeboro moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. McDonough of Dover.

On a *viva voce* vote the amendment was adopted.

The Speaker appointed as members of the Committee of Conference Messrs. Hart of Wolfeboro, Kelly of Newport, Jones of Lebanon, Saltmarsh of Concord and Cartier of Rochester.

COMMITTEE REPORT

Mr. Sanborn of Wakefield presented the following report

The Committee of Conference to whom was referred House Bill No. 389, An act relative to the taxation of legacies and succession, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in the adoption of its amendments and the following amendment be adopted:

Amend the bill by striking out Section 1 and inserting in place thereof the following:

Amend Section 1 of Chapter 72 of the Public Laws as amended by Chapter 130 of the Laws of 1935:

1. *Taxable Property Rate.* All property within the jurisdiction of the State real or personal, and any interest therein, belonging to inhabitants of the State, and all real estate within the State, or any interest therein, belonging to persons who are not inhabitants of the State, which shall pass by will or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person absolutely, or in trust except to or for the use of husband or wife of a decedent, shall be subject

to a tax at three per cent of its value, for the use of the State.

SCOTT C. W. SIMPSON,
ALLEN M. WILSON,
Conferees on the part of the Senate

ANSEL N. SANBORN,
EDGAR H. HUNTER,
L.EO L. OSBORNE,
Conferees on the part of the House

The question being on the report.

Mr. Ahern of Concord moved that the Committee of Conference be discharged and a new committee of Conference be appointed.

The question being on the motion of Mr. Ahern.

(Discussion ensued)

Messrs. Ahern of Concord, Callahan of Keene, McDonough of Dover, Saltmarsh of Concord and Pillsbury of Derry spoke in favor of the motion.

Messrs. Sanborn of Wakefield and Dickinson of Danville spoke against the motion.

On a *viva voce* vote the affirmative prevailed.

The Speaker appointed as members on such committee Messrs. Britton of Westmoreland, Hutchins of Charlestown, Merrill of Plymouth and Hayes of Dover and Mrs. Bixby of Berlin.

On motion of Mrs. Mason of Berlin at 1:00 o'clock the House took a recess until 2:55 o'clock.

(After recess)

The House was called to order.

On motion of Mr. Hoyt of Sandwich at 3:01 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order.

On motion of Mr. Callahan of Keene at 3:02 o'clock the House adjourned.

WEDNESDAY, JUNE 30, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 402, An act creating a probation department.

House Bill No. 464, An act authorizing towns, cities, and other municipal corporations to accept the workmen's compensation provisions of chapter 178 of the Public Laws.

The report was accepted.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 78, An act relating to alimony, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass,

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Alimony; Period of Payment.* Amend section 16 of Chapter 287 of the Public Laws by striking out said section and inserting in place thereof the following: 16. *Alimony.* Upon a decree of nullity or divorce, the court may restore to the wife all or any part of her estate, and may assign to her such part of the estate of her husband, or order him to pay such sum of money, as may be deemed just, provided that in cases in which no children are involved, or in which the children have reached the age of majority, said order shall be effective for not more than three years from the date thereof, but such order may be renewed, modified or

extended if justice requires for periods of not more than three years at a time and may compel the husband to disclose, under oath, the situation of his property; and before or after the decree, may make such orders and use such process as may be necessary.

2. *Modification of Existing Orders; Takes Effect.* Any order for the payment of alimony or separate maintenance now in force may be changed or modified to comply with the provisions of this act upon petition of either party, and this act shall take effect upon its passage.

On motion of Mr. Barnard of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 167, An act relating to the taking of fish, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Open Season.* Amend section 2, chapter 155, Laws of 1935, by striking out the same and inserting in place thereof the following:

2. *Brook Trout.* Brook trout not less than seven inches in length may be taken by the use either of bait or artificial flies from May first to September first, and during the month of September by the use of artificial flies only, from the following waters:

I. Ferrin pond in Weare, Gustin pond in Marlow, Hall ponds in Sandwich, Jacknife Hill brook in Errol and Lily pond in Gilford.

II. Long pond in Benton, Lucas pond in Northwood, Martin Meadow pond in Lancaster, Millsfield Pond brook in Millsfield and Errol, Mount William pond in Weare, Nippo pond in Barrington.

III. Pine river in Effingham and Ossipee, Pleasant pond in Deerfield, Poverty pond in Hill, Robartwood lake in Campton, Rocky Bound pond in Croydon and Round pond in Pittsburg.

IV. Saltmarsh pond in Gilford, Shawtown pond in Freedom, Smokey Camp brook in Errol, Spectacle pond in Groton and Hebron, Sand pond in Marlow and Stratford bog in Stratford.

V. Of brook trout taken under the preceding provisions of this section no person may take more than ten in number, nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish.

2-a. *Brook Trout.* Brook trout not less than seven inches in lenght may be taken by the use either of bait or artificial flies from May twentieth to September first and by the use of artificial flies only during the month of September from Back Lake in Pittsburg and Little Diamond pond in Stewartstown; and said trout may be taken by the use either of bait or artificial flies from April fifteenth, or as soon thereafter as the ice goes out, to September first and by the use of artificial flies only during the month of September from Partridge lake in Littleton. The provisions of paragraph V of section 2 shall apply to the taking of brook trout under the provisions of this section.

On motion of Mr. St. Francois of Nashua the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 437, An act providing a deficiency appropriation for certain state departments, reported the same with the following amendment, and the recommendations that the bill as amended ought to pass.

Amend section 1 by striking out in lines one, two and three the words and figures: "one hundred fifty-three thousand nine hundred forty-seven dollars and sixty-seven cents ($153,947.67) and inserting in place thereof the words and figures one hundred sixty-six thousand three hundred six dollars and seventeen cents ($166,306.17) further amend by striking out in line nine the figures $3,000; and inserting in place thereof the figures $4,000; further amend by adding after the figures "$8,000." in line ten the following: department of agriculture, division of animal industry $11,358.50. so that said section as amended shall read as follows:

1. *Appropriation.* The sum of one hundred sixty-six thousand three hundred six dollars and seventeen cents ($166,306.17) is hereby appropriated to meet deficits in certain state institutions and departments as follows: For the fiscal year ending June 30, 1936, for state department, presidential primary, $5,655.67; industrial school, $3,634.39; Laconia State School, $1,117.40; State hospital, $45,921.90; burial of soldiers and sailors, $3,514.50; For the fiscal year ending June 30, 1937, for state department, Australian ballot, $4,728.81; Industrial school, $6,000; Laconia state school, $4,000; state hospital, $70,000, state house, $2,375; burial of soldiers and sailors, $8,000. department of agriculture, division of animal industry, $11,358.50.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 483, An act relative to Constitutional Government Day, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out in lines six and seven of said bill the words "would have a healing effect upon the discord and hate being widely engendered, and" so that said bill as amended shall read:

"An Act relative to Constitutional Government Day.

Whereas, the Constitution of the United States was de-

clared in effect the first Wednesday in March, 1789; and

Whereas appropriate and just recognition of that debt of gratitude Americans and others owe to the Constitution would constitute an educational process of the first importance for young people and others.

Be it Enacted by the Senate and House of Representatives in General Court Convened:

1. *Constitutional Government Day.* The governor is hereby authorized and directed to issue annually a proclamation declaring that the first Wednesday in March be known as Constitutional Government Day and directing that appropriate ceremonies be held on said day in commemoration of the beginning of government under the Constitution of the United States.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 102, An act to incorporate the John Crowther Foundation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 4 and inserting in place thereof the following:

4. *Board of Trustees.* The selectmen of the town of Sunapee for the time being shall be deemed for the purposes of this act one ex-officio trustee, and the Roman Catholic Bishop of Manchester for the time being, if he so elects, shall appoint a representative who shall be deemed one ex-officio trustee. Said ex-officio trustee shall have no voice in the selection and election of other trustees. The business, property and affairs of said corporation shall be managed and controlled by a board of not more than seven trustees. The first board of trustees shall consist of the ex-officio trustees hereinbefore, defined, Samuel Crowther,

Mary Owens Crowther, Mary E. Ramsay and two others to be selected by the last three mentioned persons. Said additional trustees shall be elected at the organization meeting. Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay shall be trustees during their respective lifetimes with the sole right to select the two elective trustees. Upon the death of Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or any of them the vacancy thus created shall be filled by the other trustees, exclusive of the ex-officio trustees, by the nomination of the oldest descendant of said Samuel and Mary Owens Crowther, provided that no person shall be nominated who is not of the age of twenty-one years. The succession in the board of trustees shall be among the descendants of said Samuel and Mary Owens Crowther so long as there are such descendants, it being the intent and purpose of this act that three of said trustees shall be descendants of said persons so long as there are such descendants. Upon the decease of Samuel and Mary Owens Crowthers, Mary E. Ramsay and the last descendants of said Samuel and Mary Owens Crowther the term of office of the elected members shall terminate and the board of trustees shall consist only of the ex-officio members hereinbefore defined who shall have full charge and control of all the affairs of said corporation. Vacancies in the office of the two elective trustees shall be filled by nomination by Samuel Crowther, Mary Owens Crowther and Mary E. Ramsay or by their successors.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 117, An act providing for trial by jury in certain cases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 128, An act

to amend the charter of Lucy Hastings Hospital, Inc., reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 486, An act relative to the Woodsville Fire District, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Bailey of Haverhill the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 487, An act providing for the establishment and administration of unemployment compensation, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 138, Joint resolution relating to the calling of a Constitutional Convention, with the recommendation that the joint resolution be referred to the Committee on Judiciary.

The report was accepted and the joint resolution read a first and second time.

Mr. Sanborn of Wakefield moved that the rules be suspended and the printing of the joint resolution and its ref-

erence to a committee dispensed with and the joint resolution was made in order for a third reading by its caption at the present time.

The question being on the motion of Mr. Sanborn.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Dickinson of Danville spoke in favor of the motion.

Mr. Hoyt of Sandwich moved that the joint resolution be laid upon the table and made a special order for Tuesday, July 6 at 11:01 o'clock.

The question being on the motion of Mr. Hoyt.

(Discussion ensued)

Mr. Callahan of Keene spoke against the motion.

Mr. Hoyt of Sanwich withdrew his motion.

The question being on the motion of Mr. Sanborn.

(Discussion ensued)

Messrs. McDonough of Dover and Ahern of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Noel of Nashua, for the special committee consisting of the delegation from the city of Nashua, to whom was referred House Bill No. 484, An act to amend the charter of the city of Nashua, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 60, Joint resolution relating to indemnity for diseased bovine animals, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred Senate Bill No. 47, An act providing for an addition to the cell block of the state prison, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Marston of Rye, for the Committee on Coastwise Improvements, to whom was referred Senate Bill No. 100, An act relating to control of navigation at Hampton Harbor, the inlet, so called, and Hampton river, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Syphers of Greenland, for the Committee on Laconia State School, to whom was referred House Joint Resolution No. 62, Joint resolution for the completion and furnishing of the infirmary building of Laconia State School, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 132, An act extending the appropriation heretofore made for old age assistance and poor relief.

SENATE BILL READ AND REFERRED

Senate Bill No. 132, An act extending the appropriation heretofore made for old age assistance and poor relief.

The bill was read a first and second time.

Mr. Baker of Concord moved that the rules be suspended the printing of the bill and its reference to a committee dispensed with and the bill made in order for third reading by its title at the present time.

The question being on the motion of Mr. Baker.

(Discussion ensued)

Mr. Baker of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 87, An act relating to the forestry and recreation commission.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 404, An act relating to neglected and delinquent children.

Amend section 28 of the bill by striking out the word July and inserting instead thereof the word October, so that said section will read as follows:

18. *Takes Effect.* This act shall take effect October 1, 1937, and all acts or parts of acts inconsistent herewith are hereby repealed.

On motion of Mr. Etsler of Claremont the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills and joint resolution, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 324, An act relating to payment of wages.

Amend section 1 of said bill by striking out the first three lines thereof and inserting in place thereof the following:

1. *Wages.* Amend chapter 176 of the Public Laws by inserting after section 28-a, as inserted by section 2, chapter 102, Laws of 1935, the following new section:

Further amend section 1 of said bill by striking out the letters (a), (b) and (c) and inserting in place thereof the numerals I, II and III.

Further amend section 1 of said bill by striking out the words "of this act" in the thirty-sixth line and inserting in place thereof the word, hereof.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Cogan of Portsmouth, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of Stream Flow Gauging Stations and for an extension of time for use of funds appropriated for the New Hampshire Water Resources Board.

Amend section 3 of said bill by inserting after the word and figures "chapter 121" in the fourth line, the words and figures, for the purposes of chapter 133, Laws of 1937.

On motion of Mr. Osborne of Sunapee the House con-

curred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont, and for other purposes.

Amend section 1 of said bill by inserting after the word "public" in the twenty-first line the word, use.

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 475, An act to provide for co-operation by the State with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for Flood Control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

Amend section 1 of said bill by inserting after the word "public" in the twenty-sixth line the word, use.

Amend section 2 of said bill by striking out the word and figure "article VI" in the eleventh line and inserting in place thereof the following: articles VI and VII.

On motion of Mrs. Charois of Greenville the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 353 (in new draft), An act relating to fly fishing.

Amend section 1 of said bill by striking out the sixth to tenth lines and inserting in place thereof the following:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length may be taken from May first to October first, except as hereinafter provided, by the use of artificial flies only from the following waters. No person may have in his possession more than two days' legal catch.

Further amend said section 1 of said bill by striking out all after the 49th line and inserting in place thereof the following:

VII. White pond in Ossipee.

VIII. No person, taking brook trout as provided in the preceding provisions of this section, may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight he shall be entitled to take one additional fish.

IX. Adams pond in Hill, Reservoir pond in Hill, Shaw pond in Franklin, Stirrup Iron Brook pond in Salisbury, provided that no person may take from said ponds more than five in number nor more than five pounds in weight when taken, in one day except that so long as he has taken less than five in number or five pounds in weight he shall be entitled to take one additional fish.

X. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to take one additional fish.

On motion of Mrs. Sliney of Lebanon the House con-

curred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

Amend section 1 of said bill by striking out the first six lines and inserting in place thereof the following:

1. *Practice of Medicine.* Amend section 10 of chapter 204 of the Public Laws by striking out said section and inserting in place thereof the following:

On motion of Mr. Jones of Keene the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twenty-four hundred eighty dollars ($2480) be allowed and paid to the Plymouth Guaranty Savings Bank of Plymouth as trustees for the following purposes, provided that the town of Waterville shall appropriate the sum of four hundred and ninety-six dollars ($496) for the payment of the following sums, four hundred dollars to Minnie Dolloff of Thornton, forty-six dollars to the Plymouth Memorial Hospital and fifty dollars to Dr. R. P. Middleton of Plymouth. Said sum appropriated by the state shall be invested and reinvested by said trustee and from said principal sum and interest accumulated thereon the sum of six dollars per week shall be paid to Minnie Dolloff and four dollars per week to Donna Dolloff, her daughter. This appropriation is in full settlement for the death of Edwin Dolloff of Thornton who was killed while building a state-aided road in the town of Waterville. The sum hereby appropriated by the state shall be a charge upon the highway fund.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had recalled from the Governor House Bill No. 433, An act relative to athletic exhibitions.

On motion of Mr. Ahern of Concord at 12:25 o'clock the House took a recess for fifteen minutes.

(After recess)

The House was called to order.

On motion of Mr. Baker of Concord at 1:04 o'clock the House took a recess until 2:55 o'clock.

(After recess)

The House was called to order.

COMMITTEE REPORTS

Mr. Munroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 132, An act extending the appropriations heretofore made for old age assistance and poor relief.

House Bill No. 167, An act relating to the taking of fish.

House Bill No. 353, An act relating to fly fishing.

House Bill No. 466, An act to provide for co-operation by the state with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements and rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the states of Connecticut and Vermont and for other purposes.

House Bill No. 475, An act to provide for co-operation by the state with the Merrimack River Valley Flood Control Commission in the acquisition of lands, easements and

rights of way essential for flood control purposes, and to enable the state to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and for other purposes.

The report was accepted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

Read a first and second time and referred to the Committee on Claims.

On motion of Mr. Ahern at 3:01 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made to order.

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

House Bill No. 483, An act relative to Constitutional Government Day.

House Bill No. 484, An act to amend the charter of the city of Nashua.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Read a third time and passed and sent to the Senate for concurrence in amendment.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Bixby of Berlin at 3:05 o'clock the House adjourned.

THURSDAY, JULY 1, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Hafeli of Peterborough and Mrs. Rix of Shelburne were granted leaves of absence for the day on account of important business.

RESOLUTION

On motion of Miss Myler of Berlin.

Resolved, that when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock, and that when it then adjourns it adjourns to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 84, An act relating to applicants for examinations for the practice of medicine.

House Bill No. 324, An act relating to payment of wages.

House Bill No. 404, An act relating to neglected and delinquent children.

House Bill No. 419, An act to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations, and for an extension of time for use of funds appropriated for the New Hampshire water resources board.

House Joint Resolution No. 113, Joint resolution in favor of Minnie Dolloff and others.

The report was accepted.

Mr. Baker of Concord for the Committee on Appropriations, to whom was referred Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset River between Franklin and Hill, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Winslow of Chesterfield for the Committee on Public Health, to whom was referred Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 125, An act relating to carriers of property for hire on the public highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revi-

sion of the Statutes, to whom was referred Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the national guard, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Adams of Seabrook for the Committee on Fisheries and Game, to whom was referred House Bill No. 112, An act relating to taking of salmon and lake trout, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 356 (in new draft and new title), An act relative to license fees for taking fish and game

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 167, An act relating to the taking of fish.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senated asked the concurrence of the House of Representatives:

House Bill No. 184, An act to regulate the keeping of live wild animals.

Amend the title of the bill by adding at the end thereof the words, or wild birds, so that said title as amended shall

read as follows: An act to regulate the keeping of live wild animals or wild birds.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Prohibition.* No person shall cage, have in possession or exhibit any live animal or wild bird at any time, except as herein after provided, nor shall a person traffic, sell, or expose for sale, at any time or at any place any live wild animal or wild bird.

Amend section 4 of said bill by adding after the word "animals" in the fifth line the words, or wild birds.

On motion of Mr. DuBois of Swanzey the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 277, An act relating to marriage. The president appointed as members on the part of the Senate Senators Eastman, Freeman and Calef.

The President appointed as an extra member on the part of the Senate Senator Hamlin, to the Committee of Conference on House Bill No. 389, An act relative to the taxation of legacies and succession.

The message also announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 87, An act relating to the forestry and recreation commission.

Amend section 9 of said bill by striking out the same and inserting in place thereof the following:

9. *State Moneys.* Amend section 11 of chapter 15 of

the Public Laws, as amended by section 2, chapter 150, Laws of 1927, section 2, chapter 140, Laws of 1935, and section 21, chapter 134, Laws of 1937, by striking out said section and inserting in place thereof the following: 11. *Application of Receipts.* Moneys received by the state treasurer, as provided in section 10, shall be available for general revenue of the state with the following exceptions: Moneys received by the fish and game departmnt, which shall be credited to the fish and game fund; fees from the motor vehicle department, which, after deducting the amount allowed by the legislature for maintaining said department and one hundred and fifty thousand dollars annually for maintaining in part the department of state police, shall be credited to the highway department for maintenance of highways; fines and costs from the department of state police which shall be credited to the highway department for maintenance of highways; revenues from fees, rentals, and the sale of products from lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided for in chapter 192 of the Public Laws; and the fees collected by the public service commission of railroads, public utilities and owners of dams for money paid out by the commission to experts and assistants not in its regular employ, which fees shall be appropriated to reimburse the state for money so paid out. The full amount allowed for the maintenance of each institution and department shall be appropriated by each legislature for the biennial period next following, and the money derived from the sale of farm and minor industrial products of institutions shall be credited to the appropriation for the institution from which derived.

On motion of Mrs. Brungot of Berlin the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord the rules were suspended and business in order at 3 o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended, and the third readings of bills by their titles made in order.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the national guard.

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Graves of Keene at 11:49 o'clock the House adjourned.

FRIDAY, JULY 2, 1937.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Friday, July 2, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, JULY 5, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, July 5, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JULY 6, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Gage of Manchester was granted leave of absence for the week on account of death in the family.

Mr. Hemenway of Marlborough was granted leave of absence for the week on account of important business.

Mr. Knowlton of Manchester was granted leave of ab-

sence for Tuesday and Wednesday on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

Senate Bill No. 117, An act providing for trial by jury in certain cases.

Senate Bill No. 128, An act to amend the charter of Lucy Hastings Hospital, Inc.

Senate Bill No. 131, An act in regard to highway reconstruction which may be necessitated by the construction of a dam across the Pemigewasset river between Franklin and Hill.

House Bill No. 78, An act relating to alimony.

House Bill No. 87, An act relating to the forestry and recreation commission.

House Bill No. 184, An act to regulate the keeping of live wild animals or wild birds.

House Bill No. 356, An act relative to license fees for taking fish and game.

House Bill No. 486, An act relative to the Woodsville Fire District.

The report was accepted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 421, An act to provide for a merit or civil service system for state employees, reported the same with the following resolution:

Resolved. that it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Appropriations, to whom was referred House Bill No. 421, An act to provide for a merit or civil

service system for state employees, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

GEORGE D. CUMMINGS,
A Minority of the Committee.

Mrs. Cooper of Nashua moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mrs. Cooper.

(Discussion ensued)

Mrs. Cooper of Nashua and Messrs. Stearns of Hancock, Molloy of Nashua, Horan of Manchester, Hurley of Manchester, Danforth of Acworth, Dickinson of Danville, Barnard of Manchester and Etsler of Clairmont spoke in favor of the motion.

Messrs. Sanderson of Pittsfield, Callahan of Keene, Seymour of Carroll, and Baker of Concord spoke against the motion.

Mr. Winslow of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mrs. Cooper of Nashua demanded the yeas and nays, and the roll was called with the following results:

YEAS, 128

ROCKINGHAM COUNTY: Havican, Shaw, Dickinson of Danville, Burbank of Derry, Pillsbury, Fecteau, Tozier, Stevens, Nesmith, Knowles, Fernald, Gray, Yeaton, Cogan, Badger, Adams of Seabrook.

STRAFFORD COUNTY: Atwood, Durkin, Lucas, McDonough, Richards, Caldwell, Whitehouse, Longley, Seavey.

BELKNAP COUNTY: Little, O'Shan, Tarlson, Tilton of Ward 4, Laconia, Dickson of Laconia, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Churchill, Head, Huntress.

MERRIMACK COUNTY: Munroe, Brown of Bow, Nash, Saltmarsh, Lovely, Dupont, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Avery, Pattee, Stearns of Hancock, Barnard, Kimball, Woodbury of Manchester, Barry, Dwyer, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Clancy, Healy, Lacroix, Sweeney of Ward 5, Manchester, Booth, Connolly, Paul J., Ward 6, Manchester, Fox, Farrell, Gorham, Hanley, Horan, Donnelly, Driscoll, Hayes of Manchester, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Caron, Lariviere, St. Germain, Maker, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Moran, Molloy, Noel, Wilcox, Corliss, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Firmin, Robertson, Olson, Jones of Keene, Park, Woodbury of Sullivan, Dubois of Swanzey, Granger, Barrett of Troy, King, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Etsler, Kelly of Newport, Rogers.

GRAFTON COUNTY: Davis. Bailey of Bath, Hammond, Tuxbury, Titus, Perley, Hoyt of Lebanon, Jones of Lebanon, Bailey of Lyme, Howard.

COOS COUNTY: Palmer of Berlin, Studd, Brungot, Ramsay of Berlin, Snodgrass, Dickson of Colebrook, Ramsay of Colebrook, Parker, Rix.

Mr. Barrett of Portsmouth voting No, paired with Mr. McCooey of Dover voting Yes.

Mr. Kittredge of Portsmouth, voting No, paired with Mr. Pray of Portsmouth, voting Yes.

NAYS, 182

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Tenney, Fogg of Deerfield, Abbott of Derry, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Pridham, Estabrook of Newton, Foote, Gile, Marston, Drowne, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Hayes of Dover, Henderson of Dover, Chabot, Grimes, Caswell, Durnin, Blanchard, Jenkins, Colby, Berry, Dustin, Dickinson of Rochester, Varney, Lagueux, Boucher, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Adams of Belmont, White, Hunt, Edgerly, Guay, Normandin, Tilton of Ward 3, Laconia, Hoyt of Laconia, Cantin, Newell, Sanders, Helms.

CARROLL COUNTY: Russell, Day, Downs, Mudgett, Quint, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Carter, Coakley, Rivet, Stearns of Concord, Baker, Mansur, Sturtevant, Brunel of Concord, Maxham, Sharaf, Nutter of Epsom, Carignan, Lemire, Dempsey, Douphinett, Rowe, Fowler, Mitchell, Ball, Carr, Perkins of Pittsfield, Sanderson.

HILLSBOROUGH COUNGY: Odell, Clark of Bedford, Reynolds, Charois, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Johnson of Manchester, Bouthiette, Chevrette, Constant, Farland, Gallagher, Gaudreault, Aubin, Desruisseaux, Letendre, Soucy, Foster, Vigneault, Berube, Marquis, Lougee, Maddox, Cormier, Bouthillier, Tuttle of Temple.

CHESHIRE COUNTY: Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Gates, Hilton, Spaulding, Roche, Rice, Relihan, Britton, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Daly, Gaffney, Hosking, Putnam of Claremont, Quimby, Sheehan, Thomas, Brigham, Cummings of Newport, Fairbanks, Kempton, Cram.

GRAFTON COUNTY: Goodwin, Remick of Bristol, Graham, Walbridge, Remick of Groton, Hunter, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, French, Sliney, Collins, Hamilton, Soper, Jones of Monroe, Lufkin, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Henderson of Berlin, Montminy, Bixby, Dugas, Myler, Seymour, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Fuller, Brown of Stratford, Whitcher.

And the motion to substitute did not prevail.

The question being on the report of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Etsler of Claremont at 1:18 o'clock the House took a recess until 2:30 o'clock.

(After Recess)

The House was called to order.

COMMITTEE REPORTS

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 106, An act relating to municipal water works, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 127, An act to amend chapter 284 of the Public Laws relating to the sale of securities, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in its place the following:

An act relating to the sale of securities.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Ahern of Concord for the Committee on Rules reported the following entitled bill, House Bill No. 488, An act relating to the salary of the state pathologist, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by striking out in line three thereof the word "seventy-five" and inserting in place thereof the word "twenty-five", so that said section as amended shall read:

"5. *Report; Penalty.* Any person operating a motor vehicle, trailer or semi-trailer which is in any manner involved in an accident resulting in damage to property in excess of twenty-five dollars shall forthwith report in writing to the commissioner in the same manner as required by law in case of an accident in which any person is injured or killed. Any person failing to report as required herein shall be punished in the same manner as one who fails to report in accordance with Public Laws, Chapter 102, sections 17 and 18."

Further amend said bill by striking out in line four of section 6 the word "seventy-five" and inserting in place thereof the word "twenty-five", so that said section as amended shall read:

"6. *Security and Proof Required Following Accident.* Upon receipt by him of the report of an accident which has

resulted in bodily injury or death, or in damage to property in excess of twenty-five dollars, the commissioner shall forthwith suspend the license of any person operating, and the registration certificates and registration plates of any person owning, a motor vehicle, trailer or semi-trailer in any manner involved in such accident unless and until such operator or owner or both shall have previously furnished or immediately furnishes sufficient security to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator by or on behalf of the aggrieved person or his legal representative, and unless and until such owner or operator or both shall immediately give and thereafter maintain proof of financial responsibility in the future."

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of tthe following entitled bills sent up from the House of Representatives:

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

House Bill No. 484, An act to amend the charter of the city of Nashua.

House Bill No. 486, An act relative to the Woodsville Fire District.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 78, An act relating to alimony.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 102, An act to incorporate the John Crowther Foundation.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 411, An act providing for special grill room licenses to first class hotels.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 465, An act enlarging the scope of the Employers' Liability and Workmen's Compensation Law.

Amend the bill by striking out in section 2 line 1 the word and figures, June 30, and substituting therefor the word and figures July 15 so that said section as amended shall read as follows: 2. *Takes Effect.* This act shall take effect July 15, 1937.

On motion of Mr. Etsler of Claremont the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 477, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1938.

Amend section 1 of said bill as follows:

(1) Strike out the paragraph relative to the Legislature and insert in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account, and which shall be for the expenses of the Legislature only $135,000.

(2) Strike out figures $60,000 in the last item of the appropriation for the executive department and insert in

place thereof the figure, $40,000; change the total of said appropriation from $87,500 to $67,500.

(3) For the department of agriculture strike out the figure $3,980 for feeding stuffs inspection and insert in place thereof the figure, $4,980; strike out the figure $2,000, salary of inspector, and insert in place thereof the figure $1,600; strike out the figure $1,250, other expenses, and insert in place thereof the figure $1,650; strike out the figure $54,660 and insert in place thereof the figure $59,660; strike out the figure $50,000, bovine disease indemnities, and insert in place thereof the following: July 1, 1937 to December 30, 1937, $35,000; January 1, 1938 to June 30, 1938, $35,000; change the total for said department from $195,510 to $221,510.

(4) For the attorney-general's department strike out the figure $3,405 and insert in place thereof the figure $3,380; strike out the words and figure "Bureau of investigation $10,000"; change the total for said department from $34,805 to $24,780.

(5) For the comptroller's department insert after the line relative to clerical expense the following: Additional clerk, half time, $440; change the total for said department from $23,450 to $23,890.

(6) For the department of forestry and recreation strike out the figure $3,700 and insert in place thereof the figure $4,000; strike out the figure $4,500 and insert in place thereof the figure $4,800; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,653 and insert in place thereof the figure $5,353; strike out the figure $9,550 and insert in place thereof the figure $10,050; strike out the figure $3,850 and insert in place thereof the figure $4,150; change the total for said department from $74,283 to $76,583.

(7) For the state library strike out the figure $11,255

and insert in place thereof the figure $12,565; change the total for said department from $29,786 to $31,096.

(8) For the Planning Division strike out the figure $14,748 and insert in place thereof the figure $14,898; change the total for said division from $23,878 to $24,028; change the net appropriation for said division from $23,378 to $23,528.

For the Development Division strike out the figure $9,465 and insert in place thereof the figure $9,715; change the total for said division from $83,782.50 to $84,032.50; change the net appropriation for said division from $82,532.50 to $82,782.50.

(9) For the state department strike out $4,075 and insert in place thereof the figure $3,075; change the total for said department from $29,260.95 to $28,260.95.

(10) For the department of weights and measures add after the words "other salaries" the following: including a fourth inspector.

(11) For Laconia State School strike out the words "purchase of land" and insert in place thereof the words, for construction of cement walks.

(12) For New Hampshire state hospital strike out the figures $253,718.43 and insert in place thereof the figure $253,718.46; insert the words and figures resurfacing driveway $2,500; change the total of $801,738.27 to $804,238.30 and the total of $793,738.27 to $796,238.30.

(13) For the state board of education strike out the figure $430,000 and insert in place thereof the figure $441,000; strike out the figure $325,000 and insert in place thereof the figure $350,000; strike out the figure $100,000 and insert in place thereof the figure $106,000.

(14) For the board of health strike out the figure $750 and insert in place thereof the figure $730; strike out the figure $7,370 and insert in place thereof the figure $7,470; strike out the figure $14,500 and insert in place thereof the figure $15,000; strike out the figure $8,000 and insert in

place thereof the figure $7,000; strike out the figure $4,520 and insert in place thereof the figure $5,020; insert the following: crippled children, salaries $3,350; current expenses $7,650; change the total for said department from $74,210 to $85,300.

(15) For the public service commission add after the word "engineers" the word counsel.

(16) For chiropractic examiners strike out the figure $600 and insert in place thereof the figure $500.

(17) For the judicial department add to the appropriation for the supreme court the following item: refurnishing and painting $2,205; change the total for said court from $134,400 to $136,605.

(18) Strike out the last line of said section 1 which is as follows: Funeral directors and embalmers $2,200.

On motion of Mr. Seavey of Rochester the reading of the amendments was dispensed with.

On motion of the same member the House refused to concur, and asked for a Committee of Conference.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Seavey of Rochester, Rice of Rindge, Baker of Concord, Sawyer of Woodstock and Sanderson of Pittsfield.

House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

Amend section 1 of said bill as follows:

(1) Strike out the words and figures "for the legislature $250,000" and insert in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account and which shall be for the expenses of the legislature only $135,000.

(2) For the executive department strike out the figure $60,000 and insert in place thereof the figure $40,000; change the total for said department from

(3) For the department of agriculture strike out the figure $3,980 and insert in place thereof the figure $4,980; strike out the figure $2,000 and insert in place thereof the figure $1,600; strike out the figure $1,250 and insert in place thereof the figure $1,650; strike out the words and figures "bovine diseases indemnities $50,000" and insert in place thereof the following: Bovine disease indemnities, July 1, 1938 to December 30, 1938, $35,000; January 1, 1939 to June 30, 1939, $35,000; strike out figure $54,660 and insert in place thereof the figure $59,660; change the total for said department from $196,760 to $222,760.

(4) For the attorney-general's department strike out the figure $4,205 and insert in place thereof the figure $4,180; strike out the words and figures "bureau of investigation $10,000"; change the total for said department from $35,605 to 25,580.

(5) For the comptroller's department insert after "clerical expense" the words and figures, additional clerk, half time $465; change the total for said department from $23,700 to $24,165.

(6) For the department of forestry and recreation strike out the figure $3,975 and insert in place thereof the figure $4,275; strike out the figure $4,500 and insert in place thereof the figure $4,800; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,553 and insert in place thereof the figure $5,253; strike out the figure $11,450 and insert in place thereof the figure $12,250; change the total from $76,348 to $78,648; insert after said total the following:

Revenue	$3,850
Net total	$74,798

(7) For the state library strike out the figure $6,456 and insert in place thereof the figure $6,506; strike out the figure $11,365 and insert in place thereof the figure $12,675; change the total from $23,371 to $24,731.

(8) For the state department strike out the figure

$3,550 and insert in place thereof the figure $2,550; change the total for said department from $37,687.95 to $36,687.95.

(9) For the state hospital strike out the figure $254,513.46 and insert in place thereof the figure $254,113.46; insert after the word "agriculture" and the appropriation therefor the following: resurfacing driveway $1,250; change the total from $808,428.30 to $809,278.30; and change the net appropriation from $800,428.30 to $801,278.30.

(10) For the board of education strike out the figure $430,000 and insert in place thereof the figure $461,000; strike out the figure $325,000 and insert in place thereof the figure $350,000; strike out the figure $100,000 and insert in place thereof the figure $106,000.

(11) For the board of health strike out the figure $7,370 and insert in place thereof the figure $7,470; strike out the figure $14,500 and insert in place thereof the figure $15,100; strike out the figure $4,520 and insert in place thereof the figure $4,920; strike out the figure $8,000 and insert in place thereof the figure $7,000; add at the end of said appropriation the following:

Services for crippled children:	
Salaries	$3,500
Other expenses	$7,500

change the total for said department from $74,625 to $85,725.

(12) For chiropractic examiners strike out the figure $600 and insert thereof the figure $500.

(13) For the planning division of the planning and development commission strike out the figure $14,748 and insert in place thereof the figure $15,048; change the total for said division from $24,614 to $24,914 and the net total from $24,114 to $24,414. For the development division strike out the figure $9,465 and insert in place thereof the figure $9,965; change the total from $83,782.50 to $84,282.50 and the net total from $82,532.50 to $83,032.50.

(14) Strike out the following words and figures "For

state board of registration of directors and embalmers $2,200.

(15) Add at the end of said section 1 the following;

New Hampshire Water Resources board:	
Salaries	$7,930
Other expenses	$4,835
	$12,765

On motion of Mr. Seavey of Rochester the reading of the amendments was dispensed with.

On motion of the same member the House refused to concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Seavey of Rochester, Rice of Rindge, Baker of Concord, Sawyer of Woodstock, and Sanderson of Pittsfield.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No 138, Joint resolution relating to the calling of a Constitutional Convention.

Amend the joint resolution by striking out the last paragraph or resolving clause and substituting therefor the following:

Resolved, by the Senate and House of Representatives in General Court convened:

That the Legislature direct the Secretary of State to, immediately upon the passage of this joint resolution, make a complete and final return of all the ballots cast at said election and special election, and that the House and Senate meet in joint convention to canvass the returns of the number of ballots for and against the necessity of calling a constitutional convention.

On motion of Mr. Rogers of Plainfield, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

Senate Bill No. 133, An act relative to unemployment compensation.

SENATE BILLS READ AND REFERRED

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

Senate Bill No. 133, An act relating to unemployment compensation.

Severally read a first and second time and referred to the Committee on the Revision of the Statutes.

RECALLED FROM GOVERNOR

On motion of Mr. Barnard of Manchester Senate Bill No. 114, An act relating to special number plates for motor vehicles used by the National Guard was recalled from the Governor.

On motion of the same member Senate Bill 114, An act relating to special number plates used by the National Guard was put back on its second reading and recommitted to the Committee on the Revision of the Statutes for purposes of amendment.

On motion of Mr. Etsler of Claremont at 3:01 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 127, An act relating to the sale of securities.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Bill No. 106, An act relating to municipal water works.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Hart of Wolfboro at 3:03 o'clock the House adjourned.

WEDNESDAY, JULY 7, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Reynolds of Greenfield was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Chandler of Gorham was granted leave of absence for the rest of the week on account of an important fishing trip.

COMMITTEE REPORTS

Mr. Emerson of Hampstead for the Committee on Appro-

priations, to whom was referred House Bill No. 20, (in second new draft and new title), An act relating to the construction of jetties at the entrance of Rye harbor in the town of Rye, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Daniels of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 85, Joint resolution to provide additional facilities at the state hospital, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of fifty-three thousand five hundred dollars ($53,500) be and the same is hereby appropriated for additional facilities at the state hospital as follows:

To make alterations in the third floor of the Walker building the sum of ten thousand dollars ($10,000); to purchase and install kitchen equipment the sum of ten thousand dollars ($10,000); to purchase and install metallic food elevators, five thousand five hundred dollars ($5,500); to install a partial sprinkler system in the Administration building ten thousand dollars ($10,000); to construct an addition for enlargement of the kitchen in the Walker building, eighteen thousand dollars ($18,000). The above appropriations shall be a charge upon the funds appropriated by chapter 143 of the Laws of 1935.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 227, An act to provide for an administration building and for an addition to the infirmary building at the state hospital, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 86, Joint resolution for additional facilities at the state hospital, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, and the bill read a first and second time.

On motion of Mr. Adams of Seabrook the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

The bill was then ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264, An act to regulate the practice of barbering.

COMMITTEE REPORT

Mr. Coakley of Concord presented the following report:

The Committee of Conference, to whom was referred House Bill No. 411, An act providing for special grill room licenses to first class hotels, report the same with the recommendation that the House recede from its position of nonconcurrence and accept the amendments sent down by the Honorable Senate.

ALLEN M. FREEMAN,
W. B. HANSON,
Conferees on the part of the Senate.

C. L. BAILEY,
CHARLES E. MAGOON,
CHARLES P. COAKLEY,
Conferees on the part of the House.

The question being on the adoption of the committee report.

Mr. James of Nashua moved that the report and bill be indefinitely postponed.

The Speaker ruled the motion not in order.

Mr. James of Nashua moved that the report be not adopted.

The question being on the motion of Mr. James.

(Discussion ensued)

Mr. James of Nashua spoke in favor of the motion.

Messrs. Seymour of Carroll and Coakley of Concord spoke against the motion.

On a *viva voce* vote the chair was in doubt.

Mr. James of Nashua asked for a division.

A division being taken 158 members voted in the affirmative and 63 members voted in the negative and the motion prevailed.

Mr. Jones of Lebanon moved that a new Committee of Conference be appointed.

On a *viva voce* vote the chair was in doubt and called for a division.

A division being taken 71 members voted in the affirmative and 152 members voted in the negative and the motion did not prevail.

Mr. Hoyt of Sandwich moved that the bill and report be referred to the 1939 Legislature.

The Speaker ruled the motion not in order.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 490, An act relating to transportation of pupils attending approved schools, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

RESOLUTION

Mr. Rogers of Plainfield offered the following resolution:

Resolved, That the Senate be informed that the House of Representatives will be ready to meet the Senate in joint convention at 12:00 o'clock Tuesday, July 20, for the purpose of receiving a report from the Secretary of State of the return of the ballots cast at the election March 9, 1937, on the question "Is it advisable to call a convention to revise the Constitution?"

The question being on the resolution.

(Discussion ensued)

Mr. Rogers of Plainfield spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and the joint resolution by its caption made in order.

House Bill No. 207 (in second new draft and new title), An act relating to the construction of jetties at the entrance of Rye harbor in the town of Rye.

House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester.

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster.

House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Rix of Shelburne the House at 12:10 o'clock adjourned to meet tomorrow at 11:00 o'clock.

THURSDAY, JULY 8, 1937.

The House met at 11:00 o'clock.

WEEK-END RESOLUTION

On motion of Mrs. Atwood of Barrington.

Resolved, that when the House adjourns this morning it be to meet Friday morning at 9 o'clock and that when it then adjourns it adjourns to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 125, An act re-

lating to carriers of property for hire on the public highways, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the words "a copy of the registration certificate, and;" by inserting after the word "registered" in the nineth line the words, under the provisions of said chapter 106; by inserting after the word "registered" where it occurs in the tenth and thirteenth lines the words, under said chapter.

On motion of Mr. Mansur of Concord the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

On motion of Mr. Adams of Seabrook for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 120, An act relating to pickerel fishing in Martin Meadow pond in Lancaster, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 491, An act providing an appeal from the State Board of Health with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 17, 1937, with the

recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

NOTICE OF RECONSIDERATION

Mrs. Bixby of Berlin gave notice that on tomorrow or some subsequent date she would move to reconsider the vote on House Bill No. 411, An act providing for special grill room licenses to first class hotels, whereby the report of the Committee of Conference was not adopted.

RESOLUTIONS

Mr. Hoyt of Sandwich presented the following resolution:

Whereas, the House has learned with sorrow of the passing of the wife of our esteemed Chaplain, William Weston,

Therefore Be it Resolved, that a committee be appointed by the Speaker to draw up suitable resolutions and that the Clerk be instructed to procure flowers to send on behalf of the House.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members on such committee Messrs. Emerson of Hampstead, McDonough of Dover, Tilton of Ward 4, Laconia, Hart of Wolfeboro, Ahern of Concord, Stearns of Hancock, Callahan of Keene, Osborne of Sunapee, Hunter of Hanover and Chandler of Gorham.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 483, An act relative to Constitutional Government Day.

The message further announced that the Senate had

voted to concur with the House of Representatives in its amendment to the following entitled bills:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 127, An act to amend chapter 284 of the Public Laws relating to the sale of securities.

The message further announced that the Senate had recalled from the Governor, House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments tthe Senate asked the concurrence of the House of Representatives:

House Bill No. 264 (in new draft), An act to regulate the practice of barbering.

Amend section 16 of said bill by striking out the third sentence thereof and inserting in place thereof the following sentence:

Upon receipt of such written application said board shall notify the local board of health who shall make an investigation and if said board of health shall find that the operators in such shop or establishment hold certificates of registration to practice barbering, as herein provided, and that such shop or establishment is, with respect to its location, appointments, equipment and appliances, suitable and sanitary for such purpose said board of health shall so report to said board and said board shall issue to the applicant, upon payment of the fee herein provided, a certificate or a registration or a license to conduct a barber shop or establishment at such location until the first day of July following the date of such registration.

Amend section 14 of said bill by striking out the date "July first" where it occurs in said section and inserting in place thereof the date September first.

Amend section 24 of said bill by striking out the same and inserting in place thereof the following:

24. *Takes Effect.* Such portions of this act authorizing the establishment and organization of said board shall take effect upon its passage and the remaining provisions shall become effective on September 1, 1937.

On motion of Mr. Noel of Nashua the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C H. Parsons.

Amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the above claims; so that said joint resolution as amended shall read:

That the sum of seventeen dollars and sixty cents be and hereby is appropriated to compensate Erwin A. Ames of the city of Concord for accidental injuries suffered while building a state aid road in said Concord, provided that the city of Concord shall appropriate a like amount. An additional sum of twenty-four dollars is likewise appropriated to be paid to Dr. C. H. Parsons, said bill having been contracted by said Erwin A. Ames in said accident, provided a like sum is appropriated by the said city of Concord. Said sums appropriated by the state shall be a charge upon the highway funds and shall be in full settlement of the above claims.

On motion of Mr. McCooey of Dover the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

Amend the joint resolution by adding at the end thereof the following, and shall be in full settlement of the above claims; so that said joint resolution as amended shall read:

That the sums of two hundred dollars ($200) and one hundred dollars ($100) be and hereby are appropriated to Hugh H. Johnson of Stratford for damage to his car and doctor's bill and personal injuries, said expenses being the result of an accident when his car dropped into a culvert, due to a washout, on the Daniel Webster highway in the town of Stratford, April 6, 1937. Said sums appropriated shall be a charge upon the highway funds, and shall be in full settlement of the above claims.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 134, An act relating to suits by minors.

SENATE BILLS READ AND REFERRED

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 134, An act relating to suits by minors.

Severally read a first and second time and referred to the Committee on Judiciary.

On motion of Mrs. Charois of Greenville at 11:23 o'clock the House adjourned.

FRIDAY, JULY 9, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, July 9, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Conlon of Concord at 9:01 o'clock the House adjourned.

MONDAY, JULY 12, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, July 12, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JULY 13, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

CRUSADE SINGERS

The Crusade Union Boys' Singers from Massachusetts and New York, under the direction of Rev. Mr. Whitney, entertained the assembly with several songs.

LEAVES OF ABSENCE

Mr. Rice of Rindge was granted leave of absence for the day on account of important business.

Mr. Gagnon of Manchester was granted leave of absence for two weeks on account of important business.

Mr. Hepworth of Derry was granted leave of absence until further notice on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 106, An act relating to municipal waterworks.

House Bill No. 465, An act enlarging the scope of the employers' liability and workmen's compensation law.

House Bill No. 482, An act relating to the Village Fire Precinct of Wolfeboro.

House Bill No. 483, An act relative to Constitutional Government Day.

House Joint Resolution No. 123, Joint resolution in favor of Erwin A. Ames and C. H. Parsons.

House Joint Resolution No. 138, Joint resolution relating to the calling of a constitutional convention.

The report was accepted.

Mr. Normandin of Laconia for the Committee on Judi-

ciary, to whom was referred House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds, reported the same with the recommendation that the bill ought to pas.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 121, An act relating to exemptions from taxation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting in section one, in the sixth line, after the words "clergy in active service" the following: "or to personal property owned and real estate owned and occupied by the Grand Army of the Republic, to the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion," so that said section as amended shall read as follows:

SECTION 1. The exemptions referred to in sections 22, 24 and 25 of this chapter, as regards real estate hereafter acquired by such institutions, shall apply only to subsequent improvements therein and thereon, and the real estate so acquired shall be assessed and taxed as other similar land and real estate in the vicinity is assessed and taxed. This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service or to personal property owned and real estate owned and occupied by the Grand Army of the Republic, to the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Baker of Concord presented the following report:

The Committee of Conference, to whom was referred House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938, reported the same with the following recommendations:

That the House recede from its position of non-concurrence in the following Senate amendments, namely those numbered (1), (2), (4), (5), (7), (8), (9), (10), (11), (14), (17), and (18), and concur with the Senate in the adoption of said amendments.

That the Senate recede from its position of adopting amendment numbered (16).

That the House recede from its position of non-concurrence and that the Senate recede from its position in adopting the amendments numbered (3), (6), (13), and (15), and adopt the following amendments:

(3) For the department of agriculture strike out the figure $3,980 for feeding stuffs inspction and insert in place thereof the figure $4,980; strike out the figure $2,000, salary of inspector, and insert in place thereof the figure $1,600; strike out the figure $1,250, other expenses, and insert in place thereof the figure $1,650; strike out the figure $54,660 and insert in place thereof the figure $57,660; strike out the figure $50,000, bovine disease indemnitites, and insert in place thereof the following: July 1, 1937 to December 30, 1937, $32,000; January 1, 1938 to June 30, 1938, $32,000; change the total for said department from $195,510 to $213,510.

(6) For the department of forestry and recreation strike out the figure $3,700 and insert in place thereof the figure $3,850; strike out the figure $4,500 and insert in place thereof the figure $4,650; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,653 and insert in place thereof the figure $5,353; strike out the figure $9,550 and insert in place thereof the figure $9,750; strike out the figure $3,850 and insert in

place thereof the figure $4,050; change the total for said department from $74,283 to $75,883.

(13) For the state board of education strike out the entire paragraph relative to said board and insert in place thereof the following:

For state board of education as follows:

Salaries		$38,566.66
Current expenses		15,720.00
Vocational education		6,550.00
Vocational rehabilitation		5,335.67
State aid, equalization		350,000.00
Superintendents' salaries		100,000.00
Conferences		1,300.00
Normal schools, operation and maintenance		153,000.00
Total requirements		$670,472.33
Less revenue credited to department:		
Per capita tax	$161,500.00	
Literary fund	43,000.00	
Unorganized places	8,000.00	
Rebate ($3.50 tax)	9,000.00	
Balance equalization fund	10,399.58	
		231,899.58
Net appropriation		$438,572.75

In addition to the above appropriation said department shall receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under section 40, chapter 117 of the Public Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

(15) For the public service commission add after the word "engineers" the words, legal fees.

ROBERT O. BLOOD,
AUSTIN L. CALEF,
PHILIP C. HEALD,
Senate Conferees.

RALPH F. SEAVEY ,
HARRIS H. RICE,
ALBERT S. BAKER,
HARRY D. SAWYER,
ROBERT H. SANDERSON,
House Conferees.

Mr. Baker of Concord explained the amendments.

On a *viva voce* vote the report was adopted.

Mr. Baker of Concord presented the following report:

The Committee of Conference, to whom was referred House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939, reported the same with the following recommendation:

That the House recede from its position of non-concurrence in the following Senate amendments, namely, these numbered (1), (2), (4), (5), (7), (8), (9), (11), (14), (15), and concur with the Senate in the adoption of said amendments.

That the Senate recede from its position of adopting amendment numbered (12).

That the House recede from its position of non-concurrence and that the Senate recede from its position in adopting the amendments numbered (3), (6), (10), (15), and adopt the following amendments:

(3) For the department of agriculture strike out the figure $3,980 and insert in place thereof the figure $4,980; strike out the figure $2,000 and insert in place thereof the figure $1,600; strike out the figure $1,250 and insert in place

thereof the figure $1,650; strike out the words and figures "bovine diseases indemnities $50,000" and insert in place thereof the following: Bovine disease indemnities July 1, 1938 to December 30, 1938, $32,000; January 1, 1939 to June 30, 1939, $32,000; strike out the figure $54,660 and insert in place thereof the figure $57,660; change the total for said department from $198,760 to $214,760.

(6) For the department of forestry and recreation strike out the figure $3,975 and insert in place thereof the figure $4,125; strike out the figure $4,500 and insert in place thereof the figure $4,650; strike out the figure $6,145 and insert in place thereof the figure $6,345; strike out the figure $4,553 and insert in place thereof the figure $5,253; change the total of $76,348 to $77,548; insert after said total the following:

Revenue	$3,850.00
Net appropriation	$73,698.00

(10) For the state board of education strike out the entire paragraph relative to said board and insert in place thereof the following:

For state board of education as follows:

Salaries	$39,216.66
Current expenses	16,120.00
Vocational education	6,575.00
Vocational rehabilitation	5,362.34
State aid, equalization	350,000.00
Superintendents' salaries	100,000.00
Conferences	1,300.00
Normal schools, operation and maintenance	153,000.00
Total requirements	$671,574.00

Less revenue credited to department:		
Literary fund	$43,000.00	
Per capita tax	161,500.00	
Unorganized places	8,000.00	
Rebate ($3.50 tax)	9,000.00	
Unexpended equalization fund balance	10,399.57	
		231,899.58
Net appropriation		$439,674.42

In addition to the above appropriation said department shall receive for disbursement the income of the normal dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under section 40, chapter 117 of the Public Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

(15) Add at the end of said section 1 of the bill the following:

For New Hampshire Water Resources board as follows:	
Salary, chairman	$4,000.00
Other salaries	13,560.00
Current expenses	9,149.52
Total	$26,709.52

That the Senate and House adopt the following amendments to section 1 of said bill:

(16) For the department of weights and measures add after the words, "other salaries" the following: including a fourth inspector.

(17) For the public service commission add after the word "engineers" the words, legal fees.

ROBERT O. BLOOD,
AUSTIN L. CALEF,
PHILIP C. HEALD,
Senate Conferees.

RALPH F. SEAVEY,
HARRIS H. RICE,
ALBERT S. BAKER,
HARRY D. SAWYER,
ROBERT H. SANDERSON,
House Conferees.

Mr. Baker of Concord explained the amendments.

On a *viva voce* vote the report was adopted.

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 264, An act to regulate the practice of barbering, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the word "the" in the thirteenth line and inserting in place thereof the word, each.

Amend section 5 by adding after the word "Council" in the fourth line the word, giving.

Amend section 7 by striking out all after the word "duty" and inserting in place thereof the following: provided that the total expenditures hereby authorized shall not exceed the amount of moneys received by the state treasurer from the board during the current year.

Amend section 8 of said bill by striking out all after the word "registration" in the third line and inserting in place thereof the following: issued pursuant to the provisions of this act.

Amend section 9 by striking out the last sentence and inserting in place thereof the following:

Any person is qualified to receive a certificate of registration as a registered apprentice who is at least sixteen years of age and has paid the required fee.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Applications.* Each applicant for an examination before said board shall file an application under oath which shall be in such form and contain such information as may be required by the board and said applicant shall pay the required fee.

Amend section 11 by striking out the words "and as registered apprentices" in the eighth and nineth lines.

Amend section 12 by striking out the words "or of registered apprentice" in the first and second lines.

Amend section 14 of said bill by striking out the figure "6" in the sixteenth line and inserting in place thereof the figure 9.

Amend section 16 by striking out the words "of said chapter as amended" and inserting in place thereof the word, hereof.

Amend section 19 by inserting after the word "cases" in the nineteenth line the words, in the superior court.

Amend section 22 by striking out the same and inserting in place thereof the following:

22. *Application of Laws.* Sections 19, 20 and 21 of chapter 133 of the Public Laws shall not apply in cities and towns where this act is effective.

Amend section 23 by striking out the same and inserting in place thereof the following:

23. *Where in Force.* The provisions of this act shall be in force in all cities and towns of one thousand or more inhabitants and in such other towns as shall by majority vote at an annual or special town meeting adopt the same, under an article in the warrant for such action.

Amend section 24 by striking out the same and inserting in place thereof the following:

24. *Takes Effect.* The provisions of this act authorizing the establishment and organization of said board shall take effect upon its passage and the remaining provisions shall take effect on September 1, 1937.

On motion of Mr. Kelly of Newport the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

RECONSIDERATION

Mrs. Bixby of Berlin offered the following resolution:

I move that we reconsider the vote of last Wednesday whereby the House refused to adopt the report of the Committee of Conference on House Bill No. 411, An act providing for special grill room licenses for first class hotels.

The question being on the resolution.

(Discussion ensued)

Messrs. Goodwin of Bethlehem, Sanborn of Wakefield, Coakley of Concord and Studd of Berlin spoke in favor of the resolution.

Messrs. James of Nashua, Kimball of Manchester, Dickinson of Rochester and Callahan of Keene spoke against the resolution.

Mr. James of Nashua asked for a division.

A division being taken 100 members voted in the affirmative and 196 members voted in the negative and the resolution was not adopted.

Mr. Molloy of Nashua offered the following joint resolution:

House Joint Resolution No. 139, Joint resolution regarding mileage of members of the General Court of 1937.

Mr. Molloy moved that the rules be suspended and the printing of the joint resolution and its reference to a committee be dispensed with.

The Speaker ruled the motion out of order.

Mr. Callahan of Keene moved that the House resolve itself into a Committee of the Whole for the consideration of the joint resolution.

The Speaker ruled the motion out of order.

Mr. Callahan of Keene questioned the ruling.

The Speaker ruled the joint resolution should come into the House through the Committee on Rules.

On motion of Mr. Jones of Lebanon the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

House Joint Resolution No. 139, Joint resolution regarding mileage of members of the General Court of 1937.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriations.

Mr. Jones of Lebanon moved that the rules be suspended and the printing of the joint resolution and its reference to a committee be dispensed with.

On a *viva voce* vote the motion prevailed.

Mr. Jones of Lebanon moved that the rules be suspended and the joint resolution be put upon its third reading by its caption at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Perley of Lebanon spoke against the motion.

Mr. McDonough of Dover spoke in favor of the motion.

Mr. Perley of Lebanon moved that the joint resolution be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Dickinson of Danville spoke against the motion.

Mr. Molloy of Nashua spoke in favor of the motion.

Mr. Cummings of Peterborough moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

On the motion of Mr. Perley of Lebanon.

Mr. Perley of Lebanon demanded the yeas and nays and the roll was called with the following result:

YEAS 315

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Shaw, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Pillsbury, Fecteau, McReel, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Dondero, Foote, Gray, Pray, Yeaton, Cogan, Badger, Gile, Marston, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Durkin, Grimes, Garland, Blaisdell, Lucas, McDonough, Durnin, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Berry, Dustin, Bergeron, Turcotte of Rochester, Dickinson of Rochester, Seavey, Varney, Boucher.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, OShan, Tarlson, Guay, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Newell, Sanders, Martin, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudget, Head, Huntress, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Kemp, Baker, Boutwell, Mansur, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Matson, Maxham, Sharaf, Ahern, Nutter of Epsom, Carignan, Lemire, Dempsey, Douphinett, Rowe, Johnson of Hooksett, Mitchell, Ball, Lovely, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Pattee, Reynolds, Charois, Stearns of Hancock,

Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3 Manchester, Talty, Clark of Manchester, Corey, Betley, Clancy, Healy, Lacroix, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Jordan of Manchester, Gorham, Hanley, Horan, Bouthiette, Chevrette, Farland, Poulin, Lareau, Gallagher, Gaudreault, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Lariviere, St. Germain, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Bernard, Vigneault, Berube, Marquis, Moran, St. Francois, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Firmin, Robertson, Sawyer of Jaffrey, Callahan, Graves, Knowlton of Keene, Jones of Keene, Park, Gates, Hilton, Spaulding, Duffy, Roche, Hemenway, Woodbury of Sullivan, Dubois of Swanzey, Granger, Barrett of Troy, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Daly, Etsler, Gaffney, Hosking, Howe, Putnam of Claremont, Quimby, Sheehan, Thomas, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Rogers, Osborne, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Bailey of Haverhill, Smith of Haverhill, Brunelle of Haverhill, Titus, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Magoon, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Tay-

lor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

Coos COUNTY: Barden, Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Bixby, Dugas, Myler, Seymour, Ramsay of Colebrook, Parkhurst, Jordan of Erroll, Chandler of Gorham, Parker, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

NAYS 6

ROCKINGHAM COUNTY: Tenney, Burbank of Derry.
STRAFFORD COUNTY: Colby.
BELKNAP COUNTY: None.
CARROLL COUNTY: None.
MERRIMACK COUNTY: None.
HILLSBOROUGH COUNTY: Sullivan of Ward 4 Manchester, Sullivan of Nashua.
CHESHIRE COUNTY: None.
SULLIVAN COUNTY: None.
GRAFTON COUNTY: Madden.
Coos COUNTY: None.
And the joint resolution was indefinitely postponed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following concurrent resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

Concurrent Resolution, Relating to added facilities for the sick and disabled service men and war veterans at the Portsmouth Naval Hospital.

Amend the resolution by transposing in line 26 the words, Fred H. Brown and H. Styles Bridges so that the resolution as amended shall read as follows:

Be it Further Resolved that a copy of this resolution be

transmitted to Senator Fred H. Brown, Senator H. Styles Bridges, Congressman Charles W. Tobey, Congressman Arthur B. Jenks, with a request that they use their best efforts in connection with the purpose of this resolution.

On motion of Mr. Sanderson of Pittsfield the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The concurrent resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 127, An act to amend Chapter 284 of the Public Laws relating to the sale of securities.

Amend section 1 of said bill by striking out the fifth and sixth lines and inserting in place thereof the following: minerals, and further amend said section 2 by striking out the word "is" in both places where it occurs in said fourth line and inserting in place thereof the word, are, so that said section as amended shall read as follows: 2. *Securities Shall Include All.*

On motion of Mr. Baker of Concord, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 484, An act to amend the charter of the city of Nashua.

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

1. *Charter of the City of Nashua.* Amend section 42 of Part I, chapter 427 of the Laws of 1913, being the charter of the city of Nashua as adopted by vote of the inhabi-

tants of said city, by striking out said section and inserting in place thereof the following:

On motion of Mr. Molloy of Nashua the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had recalled from the Governor Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Amend section 29 of the bill by striking out the words and figures "July 1, 1937" in the first line and substituting therefor the following, September 1, 1937; so that said section as amended shall read as follows:

29. *Takes Effect.* This act shall take effect September 1, 1937.

On motion of Mr. Etsler of Claremont, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 52, An act establishing a board of regis-

tration of hairdressers and regulating the occupation of hairdressing.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Compensation of Board; Disposition of Revenue.* The secretary shall receive and receipt for all fees received by the board under this act and shall at the end of each month report to the comptroller the total amount of all money received from all sources and shall at the same time deposit with the state treasurer the entire amount of said receipts. Said secretary shall give bond to the state in the sum of two thousand dollars, with sufficient sureties to be approved by the attorney-general, conditioned that he shall faithfully perform all the duties of his office. The annual salary of said secretary shall be five hundred dollars. Each member of said board shall receive five dollars a day while in attendance upon examinations or conducting inspections and reasonable expenses while traveling in the performance of his duties. The compensation and expenses of the members of the board shall be paid by the state treasurer upon the warrant of the governor, but the total expenditures for such purpose shall not exceed the total moneys received by the state treasurer under the provisions hereof.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Title.* This act may be cited as the act regulating the practice of hairdressing and beauty culture.

Amend section 19 of said bill by striking out the last sentence in said section.

Amend section 22 of said bill by striking out the words "punished by a fine of not more than one hundred dollars or by imprisonment for" and inserting in place thereof the words, fined not more than one hundred dollars or imprisoned.

On motion of Mr. Wadleigh of Milford the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had adopted the report of the Committee of Conference to House Bill No. 477, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1938, and House Bill No. 478, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1939.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 135, An act relative to political contributions.

Senate Bill No. 11 (in second new draft), An act relating to a State House Annex building in the city of Concord.

SENATE BILLS READ AND REFERRED

Senate Bill No. 135, An act relative to political contributions.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 11 (in second new draft), An act relating to a State House Annex building in the city of Concord.

Read a first and second time and referred to the Committee on Appropriations.

Mr. Ahern of Concord moved that business in order at three o'clock be made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 121, An act relating to exemptions from taxation.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mr. Baker of Concord at 1:15 o'clock the House adjourned to meet on Wednesday morning at 11:00 o'clock.

WEDNESDAY, JULY 14, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Etsler of Claremont was granted leave of absence for the day on account of attending a funeral.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, to whom was referred House Bill No. 477, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1938, reported the same under joint rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill as follows:

Amend the paragraph relative to the judicial department by inserting after the word "painting" the word, rooms.

Amend the paragraph relative to the University by striking out the words, "which is" and inserting in place thereof the word, as.

Amend section 2 of said bill by inserting after the word "effect" the words, as of.

On motion of Mr. Baker of Concord the House con-

curred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 134, An act relating to suits by minors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

The Committee on Rules reported the following entitled bill, House Bill No. 493, An act relating to public welfare, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Seavey of Rochester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 141, Joint resolution for observance of the anniversary of the adoption of the federal constitution by the state of New Hampshire, with the recommendation that the

joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 264 (in second new draft), An act to reglate the practice of barbering.

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

PERSONAL PRIVILEGE

Mr. Callahan of Keene rose to a question of personal privilege and read House rule No. 61.

On motion of Mr. Ahern of Concord business in order at three o'clock this afternoon was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 134, An act relating to suits by minors.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. McReel of Exeter at 11:25 o'clock the House adjourned to meet Thursday morning at 11:00 o'clock.

THURSDAY, JULY 15, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

WEEK END ADJOURNMENT

On motion of Mrs. Brungot of Berlin.

Resolved, that when the House adjourns this morning it be to meet Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Munroe of Andover for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 101, An act relating to proof of financial responsibility by owners and operators of motor vehicles.

Senate Bill No. 125, An act relating to carriers of property for hire on the public highways.

Senate Bill No. 127, An act relating to the sale of securities.

House Bill No. 52, An act establishing a board of registration of hairdressers and regulating the occupation of hairdressing.

House Bill No. 264, An act to regulate the practice of barbering.

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

House Bill No. 484, An act to amend the charter of the city of Nashua.

The report was accepted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 17, 1937, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on the Revision of the Statutes, to whom was referred Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 130, An act relative to non-resident circus motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 121, An act relating to exemptions from taxation.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town to Errol and in Martin Meadow pond in Lancaster.

The message further announced, that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 477, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1938.

The message also announced, that the Senate concurred with the House of Representatives in the passage of the following entitled bill with amendment in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 409, An act relating to the lobster industry.

Amend section 1 of the bill by striking out paragraph 33-g thereof and substituting therefor the following:

33-g. *License for Selling.* No person except hotels and restaurants serving cooked lobster to guests for immediate consumption as food shall sell lobster meat without first procuring a license. The director shall issue such licenses for a period of one year and the annual fee therefor shall be two dollars ($2.00).

On motion of Mr. Adams of Seabrook the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord the rules were

suspended and business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 17, 1937.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the National Guard.

Senate Bill No. 130, An act relative to non-resident circus motor vehicles.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTION

Mr. McDonough of Dover offered the following resolution:

Resolved, that it is the opinion of this House that its membership be reduced from 418 to 90 and that such reduced number is adequate and sufficient to best expedite the business of the House in an efficient and economical manner.

The question being on the resolution.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the resolution.

Mr. McDonough called for a division.

A division being had 13 members voted on the affirmative and 46 members voted in the negative and a quorum of the House not being present at 11:30 o'clock the House was adjourned, and the resolution went over into unfinished business.

FRIDAY, JULY 16, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, July 16, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, JULY 19, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, July 19, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JULY 20, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 129, An act to dissolve Glen Junction Transfer Company.

Senate Bill No. 130, An act relating to non-resident circus motor vehicles.

Senate Bill No. 134, An act relating to suits by minors.

House Bill No. 409, An act relating to the lobster industry.

House Bill No. 478, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1939.

House Bill No. 489, An act relating to taking brook trout in certain brooks in the town of Errol and in Martin Meadow pond in Lancaster.

House Bill No. 492, An act legalizing the election proceedings of the special town meeting in the town of Weare on June 17, 1937.

House Joint Resolution No. 134, Joint resolution in favor of Hugh H. Johnson of Stratford.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Bill No. 11, in second new draft, An act relating to a state house annex building in the city of Concord, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 105, An act relating to observance of the Lord's Day, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned a minority of the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 105, An act relating to observance of the Lord's Day, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

CHARLES B. HOYT,
HAROLD C. FRENCH,
HARRY A. GOODWIN,
GEORGE F. KNOWLTON,
JOSEPH L. GRAHAM,
For the Minority of the Committee.

Mr. Hoyt of Sandwich moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Hoyt of Sandwich.

(Discussion ensued)

Messrs. Hoyt of Sandwich, Callahan of Keene, Wadleigh of Milford, and Graham of Canaan spoke in favor of the motion.

Messrs, Jones of Lebanon, Molloy of Nashua, Dickinson of Danville, and McDonough of Dover spoke against the motion.

Mr. Kearns of Manchester moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the report of the minority be substituted for the report of the majority?

Mr. Kearns of Manchester asked for a divison.

A division being taken 160 members voted in the affirmative and 146 members voted in the negative, and the motion to substitute prevailed.

Mr. Cormier of Nashua demanded the Yeas and Nays, and the roll was called with the following result:

YEAS, 174

ROCKINGHAM COUNTY: Fogg of Deerfield, Hepworth, Pillsbury, Tozier, Perkins of Hampton, Creighton, Palmer of Kensington, Nesmith, Estabrook of Newton, Palmer of Plaistow, Barrett of Portsmouth, Pray, Cogan, Badger, Gile.

STRAFFORD COUNTY: Atwood, Hayes of Dover, Henderson of Dover, Caswell, Blanchard, Richards, Longley, Jenkins, Berry, Dustin, Dickinson of Rochester, Seavey, Varney, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, Normandin, Hoyt of Laconia, Newell, Sanders, Martin, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Downs, Head, Huntress, Winkley, Hoyt of Sandwich, Wiggin.

MERRIMACK COUNTY: Munroe, Carter, Baker, Boutwell, Conlon, Nash, Tilton of Concord, Brunel of Concord, Maxham, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Lovely, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Stearns of Hancock, Cole, Smith of Hudson, Cummings of Lyndeborough, Greer, Knowlton of Manchester, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Kelley of Ward 3, Manchester, Clark of Manchester, Clougherty, Corey, Healy, O'Brien, Jordan of Manchester, Farrell, Gorham, Horan, Driscoll, Gallagher, Gaudreault, Kearns, Van Vliet,

Cullen, Maker, Foster, Wadleigh, Corliss, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Callahan, Graves, Knowlton of Keene, Jones of Keene, Park, Hilton, Spaulding, Duffy, Roche, Hemenway, Rice, Dubois of Swanzey, King, Relihan, Britton, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Hosking, Howe, Putnam of Claremont, Quimby, Sheehan, Johnson of Cornish, Brigham, Cummings of Newport, Kelly of Newport, Rogers, Cram.

GRAFTON COUNTY: Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Hunter, Tuxbury, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, French, Hoyt of Lebanon, Sliney, Collins, Hildebrand, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Collette, Felton, Cryan, Fogg of Milan, Marshall, Judd, Rix, Fuller, Whitcher.

NAYS, 168

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Havican, Shaw, Tenney, Dickinson of Danville, Abbott of Derry, Fecteau, McReel, Merrill of Exeter, Beede, Syphers, Emerson, Stevens, Pridham, Knowles, Dondero, Kittredge, Foote, Gray, Yeaton, Marston, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: McCooey, Chabot, Durkin, McDonough, Durnin, Caldwell, Whitehouse, Colby, Cartier, Bergeron, Turcotte of Rochester, Lagueux.

BELKNAP COUNTY: O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia.

CARROLL COUNTY: Churchill, Day, Mudgett, Quint, Banfield, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Brown of Bow, Coakley, Rivet,

Kemp, Mansur, Saltmarsh, Sturtevant, Matson, Sharaf, Ahern, Carignan, Lemire, Dempsey, Douphinett, Carr, Perkins of Pittsfield, Sanderson.

HILLSBOROUGH COUNTY: Charois, Abbott of Hudson, Daniels, Barnard, Casey, Dwyer, Talty, Sullivan of Ward 4, Manchester, Betley, Clancy, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Sullivan of Ward 6, Hanley, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Lareau, Kelley of Ward 11, Manchester, Aubin, Caron, Desruisseaux, Letendre, Soucy, Lariviere, St. Germain, Frost, Atherton, James, Winslow of Nashua, Armington, Vigneault, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney.

CHESHIRE COUNTY: Robertson, Olson, Granger, Barrett of Troy, Burbank of Winchester.

SULLIVAN COUNTY: Daly, Etsler, Gaffney, Thomas, Fairbanks, Kempton, Osborne.

GRAFTON COUNTY: Davis, Remick of Groton, Bailey of Haverhill, Jones of Lebanon, Hamilton, Magoon, Soper, Bell, Merrill of Plymouth, Taylor.

COOS COUNTY: Barden, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol. Chandler of Gorham, Willis, Parker, Thompson of Lancaster, Johnson of Northumberland, Brown of Stratford.

RESOLUTION

On motion of Mr. Seavey of Rochester:

Resolved, That the House of Representatives will be ready to meet the Honorable Senate at 12 o'clock today for the purpose of canvassing the ballots cast in the recent

election on the question "Is it advisable to call a convention for the purpose of revising the Constitution?"

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the following resolution, sent up from the House of Representatives:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention at 12:00 o'clock today for the purpose of canvassing the ballots cast in the recent election on the question, Is it advisable to call a convention for the purpose of revising the Constitution?

The Honorable Senate then came in and the two branches being in convention,

On motion of Mr. Etsler of Claremont:

Resolved, That the Honorable Secretary of State be requested to lay before the convention the returns of the votes cast at the recent election on the question "Is it advisable to call a convention for the purpose of revising the Constitution?"

On motion of Senator Wilson of District No. 16:

Resolved, That the Chairman appoint a committee consisting of two on the part of the Senate and three on the part of the House to examine, compare and count the same, and report thereon.

The Chairman appointed as members of such committee Senators Wilson of District No. 16 and Calef of District No. 21, and Mr. Etsler of Claremont, Mrs. Soper of Littleton, and Mrs. Charois of Greenville.

REPORT OF COMMITTEE

Senator Wilson of District No. 16, for the joint committee to whom was referred the returns of the ballots cast at the recent election on the question "Is it advisable to call a convention for the purpose of revising the Consti-

tution?" report that they have examined, compared and counted the same with the following result:

For ..... 20,064 Against 19,852

On a *viva voce* vote the report was adopted.

On motion of Senator Stafford of District No. 6, the convention rose.

COMMITTEE REPORTS

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Sanborn of Wakefield, for the Committee on Ways and Means, to whom was referred House Bill No. 387 (in new draft and new title), An act establishing a tax upon incomes and amending the tax on interest and dividends, reported the same with the recommendation that the bill be laid upon the table to be printed and recommitted to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

On motion of Mr. Ahern of Concord the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Ahern of Concord, for the Committee on Rules, reported the following entitled bill, House Bill No. 494, An act in relation to the Keene Shops of the Boston & Maine Railroad, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Callahan of Keene the rules were suspended and the bill was referred to a special committee consisting of the delegation from the city of Keene.

On a *viva voce* vote the affirmative prevailed.

RESOLUTIONS

Mr. Emerson of Hampstead offered the following resolutions:

Whereas, God in His infinite wisdom has removed from the side of our beloved chaplain, William Weston, his wife, Myrtie Weston,

Therefore be it Resolved, That the members of the House of Representatives extend to him in his bereavement at this time, their heartfelt sympathy and

Be it further Resolved, That this sentiment be printed in the House Journal and a copy forwarded to Mr. Weston.

FRANK W. EMERSON,
DENNIS McDONOUGH,
FREDERICK A. TILTON,
HAROLD H. HART,
WILLIAM J. AHERN,
FOSTER STEARNS,
WILLIAM J. CALLAHAN,
LEO L. OSBORNE,
EDGAR H. HUNTER,
CHARLES A. CHANDLER.

The resolutions were unanimously adopted by a rising vote.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 101, Joint resolution in favor of G. E. Robertson and Company of Hinsdale.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 492, An act legalizing the election pro-

ceedings of the special town meeting in the town of Weare on June 17, 1937.

House Bill No. 96, An act to make uniform the transfer of stock.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 107 (in new draft), An act relating to public welfare.

SENATE BILL READ AND REFERRED

Senate Bill No. 107 (in new draft), An act relating to public welfare.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third reading of the bill by its title made in order.

Senate Bill No. 11 (in second new draft), An act relating to a state house annex in the city of Concord.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Baker of Concord at 1:10 o'clock the House adjourned to meet tomorrow morning at 11:00 o'clock.

WEDNESDAY, JULY 21, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Mr. Sawyer for the Committee on Engrossed Bills, re-

ported that the committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 11, An act relating to a State House annex building in the city of Concord.

The report was accepted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the word "thirty-five" in line 1 and inserting in its place the word, thirty, so that said resolution as amended shall read as follows:

That the sum of thirty thousand dollars (

Amend said resolution by striking out the words and figures "thirty-five thousand dollars ($35,000)" and inserting in place thereof the words and figures, thirty thousand dollars ($30,000), so that said resolution as amended shall read as follows:

That the sum of thirty thousand dollars ($30,000) be and hereby is appropriated for the purpose of advertising the resources, recreational advantages, agricultural and industrial opportunities of the state of New Hampshire at the New York World's Fair. This appropriation shall be expended under the direction of the state planning and development commission which shall, for the purposes hereof, co-operate with the other New England states in such manner as may be deemed to be for the best interests of the state but in such manner as shall not destroy the individuality of the New Hampshire exhibit or exhibits. In carrying out the purposes hereof the commission shall co-operate with the New England Council through the New Hampshire section thereof and the governor shall name three members from the public at large, as an advisory committee to work with the state planning and development commission for the purposes of this resolution only. Members

of the advisory committee shall serve without compensation but shall be reimbursed for necessary expenses incurred as a part of their official duties hereunder. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Baker of Concord, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 141, Joint resolution for observance of the adoption of the federal constitution by the state of New Hampshire, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of five thousand dollars ($5,000) be and hereby is appropriated for fitting observance of the adoption of the federal constitution in Concord, New Hampshire, on June 21, 1938, said sum to be expended by the New Hampshire Sesqui-Centennial Commission appointed by the governor in June and December, 1936, as shown by the records in the office of the secretary of state. Said commission is also authorized to accept gifts in the name of the state for the purposes of said observance. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Maxham of Concord, for the Committee on Transportation, to whom was referred Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and substituting in place thereof the following:

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following:

4-a. *Trailers and Semi-Trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, refreshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportation of poles, not to exceed three in number, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

2. Rules and regulations prescribed by the Motor Vehicle Commissioner pertaining to truck brake inspections shall apply to trailers and semi-trailers.

3. *Takes Effect.* This act shall take effect sixty (60) days after its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Estabrook of Newton, for the Committee on Claims, to whom was referred Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution was referred to the Committee on Appropriations under the rules.

Mr. Hepworth of Derry, for the Committee on Ways and Means, to whom was referred House Bill No. 43, An act relating to foreign motor vehicles used solely for pleasure, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ball of Hopkinton, for the Committee on Ways and Means, to whom was referred House Bill No. 273, An act relating to reduced fees in motor vehicle permits, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by Senate Bill No. 10.

The report was accepted and the resolution of the committee adopted.

Mr. Dickinson of Danville, for the Committee on Ways and Means, to whom was referred House Bill No. 377, An act relating to motor vehicle fees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by Senate Bill No. 10.

The report was accepted and the resolution of the committee adopted.

Mr. Mudge of Northwood, for the Committee on Ways and Means, to whom was referred House Bill No. 398, An act relative to motor vehicle trailers, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Etsler of Claremont, for the Committee on Rules, reported the following entitled bill, House Bill No. 495, An act providing for a constitutional convention, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House

of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 257, An act making appropriation for a program of service to crippled children.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 96, An act to make uniform the transfer of stock.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Business Corporations.* Amend chapter 225 of the Public Laws by striking out the subdivision relating to transfer of stock, being sections 51 to 58 inclusive, and inserting in place thereof the following new subdivision:

Further amend said section 1 of said bill by renumbering the sections of the subdivision from 51 to 53-t, respectively; by striking out the words and figures "sections 52 to 71, inclusive" where they occur in said section 1 and inserting in place thereof the words, this subdivision and by changing the references to sections to the above stated new numbering.

Amend section 2 of said bill by striking out the same.

Renumber section 3 of the bill to read section 2.

Change the word "commonwealth" to state when it occurs in said section.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 136, An act to make available the New Hampshire Law Reports.

SENATE BILL READ AND REFERRED

Senate Bill No. 136, An act to make available the New Hampshire Law Reports.

Read a first and second time and referred to the Committee on Appropriations.

NOTICE OF RECONSIDERATION

Mr. Smith of Hudson gave notice that on today or some subsequent day he would ask reconsideration of the vote whereby the House voted Inexpedient to Legislate, Senate Bill No. 105, An act relating to the observance of the Lord's Day.

Mr. Sanderson of Pittsfield moved that business in order at three o'clock be made in order at the present time.

THIRD READINGS

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the federal constitution by the state of New Hampshire.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Atwood of Barrington at 11:35 o'clock the House adjourned to meet Thursday morning at 11:00 o'clock.

THURSDAY, JULY 22, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

WEEK END ADJOURNMENT

On motion of Mrs. Mason of Berlin.

Resolved, that when the House adjourns this morning it be to meet Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet Monday evening at 6 o'clock.

COMMITTEE REPORTS

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 133, An act relative to unemployment compensation, reported the same with the following amendments, and the recommendation that the amendments be printed in the Journal for the information of the members.

Amend paragraph (f) on page 10 by inserting in line 160 after the word "animals" the words, and service performed in the employ of fraternal organizations, so that said paragraph as amended will read as follows:

(f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, and service performed in the employ of fraternal organizations, no part of the net earnings of which inures to the benefit of any private shareholder or individual:

Amend paragraph D on page 16 by striking out in line 48 the figures "18" and inserting in place thereof the figures, 16; further amend by striking out in line 49 the word "one-fifth" and inserting in place thereof the word, one-sixth, so that said paragraph as amended will read as follows:

D. *Duration of Benefits.* The commissioner shall compute wage credits for each individual by crediting him with the wages earned by him for employment by employ-

ers during each quarter, or $390, whichever is the lesser. Benefits paid to any eligible individual shall be charged, in the same chronological order as such wages were earned, against one-sixth of his wage credits which are based upon wages earned during his base period and which have not been previously charged hereunder. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed whichever is the lesser of (1) 16 times his weekly benefit amount, and (2) one-sixth of such uncharged wage credits with respect to his base period.

Amend paragraph (2) on page 31 by striking out in line 32 the words "calendar year 1937" and inserting in place thereof the following, period between January 1, 1937 and September 30, 1937, so that said paragraph as amended will read as follows:

(2) 2 per centum with respect to employment during the period between January 1, 1937 and September 30, 1937.

Amend paragraph (3) on pages 31 and 32 by striking out in line 34 the figure "3" and inserting in place thereof the figure, 2.7; further amend by renumbering said paragraph as (4), so that said paragraph as amended shall read as follows:

(4) With respect to employment after December 31, 1937, 2.7 per centum, except as otherwise prescribed in subsection E of this section.

Amend paragraph B on page 31 by inserting a new paragraph (3) as follows:

(3) 1.8 per centum with respect to employment during the calendar year 1937 subsequent to September 30, 1937.

Amend paragraph C on pages 32 and 33 by striking out in line 39 the words "for each calendar year"; further amend by striking out in line 51 the figures "18" and inserting in place thereof the figures 16; further amend by striking out in line 57 the word "one-fifth" and substituting in place thereof the word, one-sixth; further amend by striking out in line 60 the following "$78" and substituting in

place thereof the following, $65, so that said paragraph C as amended will read as follows:

C. *Separate Accounts.* The commissioner shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount hereinafter provided against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately preceding the first week of any continuous period of unemployment, wages for employment by such most recent employer equal to more than 16 times his weekly benefit amount, such benefits may also be charged against the account of his next most recent employer, in the inverse chronological order in which the employment of such individual occurred. The maximum amount so charged against the account of any employer shall not exceed one-sixth of the wages payable to such individual by each such employer for employment which occurs on and after the first day of such individual's base period, but not more than $65 per completed calendar quarter or portion thereof, which occurs within such base period; but nothing in this section shall be construed to limit benefits payable pursuant to section 2 of this chapter. The commissioner shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

Amend paragraph E on page 34 by striking out in line 77 the figures "1942" and substituting in place therefor the figures, 1941, so that said paragraph as amended will read as follows:

E. *Merit Ratings.* The commissioner shall, for the

year 1941 and for each calendar year thereafter, classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience. The commissioner shall determine the contribution rate of each employer in accordance with the following requirements:

Amend paragraph (1) on page 34 by striking out in line 1 the figure "3" and substituting in place thereof the figure, 2.7; further amend by striking out in line 87 the figure "3" and substituting in place thereof the figure, 2.7; further amend by inserting in line 89 after the word "any" the word, one, so that said paragraph as amended will read as follows:

(1) Each employer's rate shall be 2.7 per centum, except as otherwise provided in the following provisions. No employer's rate shall be less than 2.7 per centum unless and until there shall have been three calendar years throughout which any one individual in his employ could have received benefits if eligible.

Amend paragraph (3) on page 36 by striking out in line 112 the word "three" and substituting in place thereof the figure, 2.7, so that said paragraph as amendel will read as follows:

(3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 2.7 per centum, unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Amend on pages 36, 37, 38, 39 and 40 by striking out all of paragraph F.

Amend paragraph A on pages 42 and 43 by inserting in

line 12 after the word "of" in line 12 the words, monies or, so that said paragraph as amended will read as follows:

A. *Establishment and Control.* There is hereby created the Unemployment Compensation Fund to be administered by the commissioner, subject to audit by the comptroller without liability on the part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions collected under this chapter, together with any interest thereon collected pursuant to section 11 A of this chapter; all fines and penalties collected pursuant to this chapter and all interest earned upon any monies in the fund; any properties or securities acquired through use of monies or securities belonging to the fund; and all earnings of such properties or securities. All monies in the fund shall be mingled and undivided.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 322, An act providing for a school building at the State Industrial School reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 326, An act providing for two boys' dormitories and furnishings at the State Industrial School, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 5, Joint resolution in favor of the supreme court, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered in the budget.

The report was accepted and the resolution of the committee adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

ADDRESS

Hon. George W. Connor, Associate Justice, Supreme Court of North Carolina, former Speaker of the House, and his brother, Hon. H. G. Connor, former State Senator, addressed the House.

On motion of Mrs. Brungot of Berlin at 11:27 o'clock the House adjourned.

FRIDAY, JULY 23, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, July 23, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, JULY 26, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, July 26, 1937.

Mr. Albert S. Baker,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, JULY 27, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Sturtevant was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 96, An act to make uniform the transfer of stock.

The report was accepted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No.

133, An act relative to unemployment compensation, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend paragraph (f) on page 10 by inserting in line 160 after the word "animals" the words, and service performed in the employ of fraternal organizations, so that said paragraph as amended will read as follows:

(f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, and service performed in the employ of fraternal organizations, no part of the net earnings of which inures to the benefit of any private shareholder or individual:

Amend paragraph D on page 16 by striking out in line 48 the figures "18" and inserting in place thereof the figures, 16; further amend by striking out in line 49 the word "one-fifth" and inserting in place thereof the word, one-sixth, so that said paragraph as amended will read as follows:

D. *Duration of Benefits.* The commissioner shall compute wage credits for each individual by crediting him with the wages earned by him for employment by employers during each quarter, or $390, whichever is the lesser. Benefits paid to any eligible individual shall be charged, in the same chronological order as such wages were earned, against one-sixth of his wage credits which are based upon wages earned during his base period and which have not been previously charged hereunder. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed whichever is the lesser of (1) 16 times his weekly benefit amount, and (2) one-sixth of such uncharged wage credits with respect to his base period.

Amend paragraph (2) on page 31 by striking out in line 32 the words "calendar year 1937" and inserting in place thereof the following, period between January 1, 1937 and

September 30, 1937, so that said paragraph as amended will read as follows:

(2) 2 per centum with respect to employment during the period between January 1, 1937 and September 30, 1937.

Amend paragraph (3) on pages 31 and 32 by striking out in line 34 the figure "3" and inserting in place thereof the figure, 2.7; further amend by renumbering said paragraph

(4) With respect to employment after December 31, as (4), so that said paragraph as amended shall read as follows:

1937, 2.7 per centum, except as otherwise prescribed in subsection E of this section.

Amend paragraph B on page 31 by inserting a new paragraph (3) as follows:

(3) 1.8 per centum with respect to employment during the calendar year 1937 subsequent to September 30, 1937.

Amend paragraph C on pages 32 and 33 by striking out in line 39 the words "for each calendar year"; further amend by striking out in line 51 the figures "18" and inserting in place thereof the figures 16; further amend by striking out in line 57 the word "one-fifth" and substituting in place thereof the word, one-sixth; further amend by striking out in line 60 the following "$78" and substituting in place thereof the following, $65, so that said paragraph C as amended will read as follows:

C. *Separate Accounts.* The commissioner shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this Act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount hereinafter provided against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately pre-

ceding the first week of any continuous period of unemployment, wages for employment by such most recent employer equal to more than 16 times his weekly benefit amount, such benefits may also be charged against the account of his next most recent employer, in the inverse chronological order in which the employment of such individual occurred. The maximum amount so charged against the account of any employer shall not exceed one-sixth of the wages payable to such individual by each such employer for employment which occurs on and after the first day of such individual's base period, but not more than $65 per completed calendar quarter or portion thereof, which occurs within such base period; but nothing in this section shall be construed to limit benefits payable pursuant to section 2 of this chapter. The commissioner shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for which an individual performed employment at the same time.

Amend paragraph E on page 34 by striking out in line 77 the figures "1942" and substituting in place therefor the figures, 1941, so that said paragraph as amended will read as follows:

E. *Merit Ratings.* The commissioner shall, for the year 1941 and for each calendar year therafter, classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience. The commissioner shall determine the contribution rate of each employer in accordance with the following requirements:

Amend paragraph (1) on page 34 by striking out in line 1 the figure "3" and substituting in place thereof the figure, 2.7; further amend by striking out in line 87 the figure "3" and substituting in place thereof the figure, 2.7; further amend by inserting in line 89 after the word "any" the

word, one, so that said paragraph as amended will read as follows:

(1) Each employer's rate shall be 2.7 per centum, except as otherwise provided in the following provisions. No employer's rate shall be less than 2.7 per centum unless and until there shall have been three calendar years throughout which any one individual in his employ could have received benefits if eligible.

Amend paragraph (3) on page 36 by striking out in line 112 the word "three" and substituting in place thereof the figure, 2.7, so that said paragraph as amended will read as follows:

(3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 2.7 per centum, unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Amend on pages 36, 37, 38, 39 and 40 by striking out all of paragraph F.

Amend paragraph A on pages 42 and 43 by inserting in line 12 after the word "of" in line 12 the words, monies or, so that said paragraph as amended will read as follows:

A. *Establishment and Control.* There is hereby created the Unemployment Compensation Fund to be administered by the commissioner, subject to audit by the comptroller without liability on the part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions collected under this chapter, together with any interest thereon collected pursuant to section 11 A of this chapter; all fines and penalties collected pursuant to this chapter and all interest earned upon any monies in the fund; any properties or securities acquired through use of monies or securities belonging to the fund; and all earnings

of such properties or securities. All monies in the fund shall be mingled and undivided.

The report was accepted.

On motion of Mr. Barnard of Manchester the reading of the amendments was dispensed with.

Mr. Cheever of Wilton explained the amendments.

The question being on the report of the committee.

Mr. McDonough of Dover moved to substitute the words "inexpedient to legislate" for the words "ought to pass."

The question being on the motion of Mr. McDonnough of Dover.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the motion.

Messrs, Molloy of Nashua, Hart of Wolfeboro, Barnard of Manchester and McCooey of Dover spoke against the motion.

Mr. Winslow of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

Mr. McDonough of Dover asked for a division.

A division being had 230 members voted in the affirmative and 25 members voted in the negative and the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the negative prevailed.

Mr. McDonough of Dover asked for a division.

A division being had 85 members voted in the affirmative and 217 members voted in the negative and the motion to substitute did not prevail.

Mr. Barnard of Manchester offered the following amendments to the amendments:

Amend paragraph (3) on page 36 by striking out in line 113 the word "of" and substituting in place thereof the

words, credited to his account in, so that said paragraph as amended shall read as follows:

(3) No employer's rate for the period of twelve months commencing January 1 of any calendar year shall be less than 2.7 per centum, unless the total assets credited to his account in the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than 2 per centum unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Amend paragraph (4) on page 36 by adding at the end thereof the words, The term "wages" as used in this paragraph shall not include wages in excess of $3,000.00 payable to an individual in any calendar year, so that said paragraph as amended shall read as folows:

(4) As used in this section the term "annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year, and the term "average annual payroll" means the average of the annual payrolls of an employer for the last three or five preceding calendar years, whichever average is higher.

The term "wages" as used in this paragraph shall not include wages in excess of $3,000.00 payable to an individual in any calendar year.

The question being on the amendments offered by Mr. Barnard.

(Discussion ensued)

Mr. Barnard spoke in favor of the amendments.

On a *viva voce* vote the amendments to the amendments were adopted.

The question being on the amendments offered by the committee.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Mr. Booth of Manchester for the committee consisting of the Delegation from the City of Manchester, to whom was referred House Bill No. 452, An act relating to the membership of the finance commission of Manchester, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the committee consisting of the Delegation from the City of Manchester, to whom was referred House Bill No. 452, An act relating to the membership of the finance commission of Manchester, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

JOEL S. DANIELS,
CHARLES HENRY BARNARD,
PERLEY W. GAGE,
SHERMAN L. GREER,
VICTOR C. JOHNSON,
CHARLES V. KIMBALL,
CHARLES E. WOODBURY,
STODDARD B. CHASE,
EDWARD KNOWLTON,
For a Minority of the Committee.

Mr. Barnard of Manchester moved to substitute the report of the minority, "inexpedient to legislate" for the report of the majority, "ought to pass."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Barnard of Manchester spoke in favor of the motion.

Mr. Gallagher of Manchester spoke against the motion.

On a *viva voce* vote the negative prevailed.

Mr. Barnard of Manchester asked for a division.

A division being had 135 members voted in the affirma-

tive and 162 members voted in the negative and the motion to substitute did not prevail.

The question being on the report of the committee that the bill ought to pass.

On a *viva voce* vote the report was adopted and the bill ordered to a third reading.

Mr. Osborne of Sunapee, for the Committee on Ways and Means, to whom was referred House Bill No. 361, An act making liquor damages a charge upon liquor revenue, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The question being on the report of the committee.

Mr. Callahan of Keene moved that the words "ought to pass" be substituted for the words "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Callahan of Keene and Kimball of Manchester spoke in favor of the motion.

Mr. Molloy of Nashua spoke against the motion.

Mr. Cummings of Peterborough moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the negative prevailed.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS—58

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Fogg of Deerfield, Tozier, Perkins of Hampton, Palmer of Kensington, Nesmith, Fernald, Gile.

STRAFFORD COUNTY: Henderson of Dover, McCooey, Lucas, Longley, Colby, Berry, Dustin.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, Hunt, Edgerley, Hoyt of Laconia, Newell, Sanders, Smith of New Hampton.

CARROLL COUNTY: Russell, Huntress, Hoyt of Sandwich.

MERRIMACK COUNTY: Boutwell, Nash, Tilton of Concord, Johnson of Hooksett.

HILLSBOROUGH COUNTY: Odell, Reynolds, Gage, Kimball, Woodbury of Manchester.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Sawyer of Jaffrey, Callahan, Hemenway, Britton.

SULLIVAN COUNTY: Quimby, Rogers.

GRAFTON COUNTY: Pulsifer, Remick of Groton, Tuxbury, Titus, French, Collins, Houston, Dreghorn.

COOS COUNTY: Cryan, Fogg of Milan, Judd, Rix, Whitcher.

NAYS—282

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Dickinson of Danville, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Fecteau, McReel, Merrill of Exeter, Beede, Syphers, Emerson, Creighton, Stevens, Pridham, Turcotte of Newmarket, Estabrook of Newton, Knowles, Palmer of Plaistow, Barrett of Portsmouth, Dondero, Kittredge, Foote, Gray, Pray, Yeaton, Cogan, Badger, Marston, Drowne, Adams of Seabrook, Jewell, Butterfield.

STRAFFORD COUNTY: Chabot, Durkin, Grimes, Caswell, Garland, McDonough, Durnin, Blanchard, Richards, Whitehouse, Jenkins, Cartier, Turcotte of Rochester, Dickinson of Rochester, Seavey, Varney, Nutter of Rollinsford, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: White, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Helms, O'Shea.

CARROLL COUNTY: Churchill, Day, Downs, Mudgett.

Quint, Head, Banfield, Winkley, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Kemp, Baker, Mansur, Saltmarsh, Matson, Maxham, Sharaf, Ahern, Nutter of Epsom, Carignan, Lemire, Dempsey, Douphinett, Rowe, Mitchell, Ball, Lovely, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Clark of Bedford, Avery, Pattee, Charois, Stearns of Hancock, Cole, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Johnson of Manchester, Barry, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Clancy, Healy, Mahoney, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. of Ward 6, Manchester, Connolly, Paul J. of Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Walsh, Driscoll, Hayes of Manchester, Lareau, Gallagher, Gaudreault, VanVliet, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Boisvert, Lariviere, St. Germain, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Duclos, Vigneault, Drumm, Sullivan of Nashua, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney, Corliss, Thompson of New Ipswich, Cummings of Peterboro, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Robertson, Despres, Graves, Knowlton of Keene, Olson, Park, Gates, Hilton, Spaulding, Duffy, Roche, Rice, Woodbury of Sullivan, Crane, Dubois of Swanzey, Granger, Barrett of Troy, King, Relihan, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Daly, Etsler, Gaffney, Hosking, Howe, Putnam of Claremont, Sheehan, Thomas, Johnson of Cor-

nish, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Graham, Walbridge, Hunter, Brunelle of Haverhill, Perley, Hoyt of Lebanon, Jones of Lebanon, Hamilton, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Hutchins of Wentworth.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Henderson of Berlin, Montminy, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Thompson of Lancaster, Johnson of Northumberland, Marshall, Brown of Stratford.

And the motion to substitute did not prevail.

The question being on the report of the committee that it is inexpedient to legislate.

On a *viva voce* vote the report of the committee was accepted.

COMMITTEE OF CONFERENCE

Mrs. Brungot of Berlin for the Committee of Conference, to whom was referred House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin, reported the same with the following recommendation: That the Senate recede from its position in adopting its amendment and the House recede from its position of non-roncurrence in said amendment and that the Senate and House adopt the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Berlin Recreational Field.* Amend section 6 of "An act to authorize the city of Berlin to acquire a piece of land in the town of Milan and to operate a recreation field thereon" approved February 12, 1937, by striking out said sec-

tion and inserting in place thereof the following: 6. *Operation.* Said recreation field and structures thereon or therein shall be operated for the benefit of the public and all structures and improvements connected therewith shall be exempt from taxation, provided that the city of Berlin shall make payments on or before the first day of November of each year to the said town of Milan of a sum equal to the taxes which would have been assessed against said field if the same had been included in the list of taxable property for such year at the assessed valuation of the same as determined for the tax year 1936. Said field shall be policed by the officials of said Milan when requested and paid by the city of Berlin. The regulation of business, plays, games, sports and exhibitions on the Lord's Day on said field shall be governed by ordinances adopted by the city of Berlin in accordance with the provisions of law relative thereto. All revenue received on account of said field or structures shall be paid to the city treasurer at least once a month, who shall hold the same in a separate fund, designated as the "recreational fund" to be used solely for the erection and maintenance of structures on said field.

ALLAN M. WILSON,
EMMET J. KELLEY,
Senate Conferees.

HILDA C. F. BRUNGOT,
LLOYD E. FOGG,
GEORGE T. STUDD,
House Conferees.

On a *viva voce* vote the report was accepted.

Mr. Ahern of Concord for the Committee of Conference on House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, having considered the matter, reported that they are unable to agree, and recommend that the Committee of Conference be dis-

charged, and that another committee of conference be appointed.

HOWARD H. HAMLIN,
ARTHUR O. BURQUE,
Senate Conferees,

CLARENCE B. ETSLER,
WILLIAM J. AHERN,
BERTRAM W. PULSIFER,
House Conferees.

The report was adopted.

Mr. Smith of Hudson moved that the House reconsider its vote, whereby it voted inexpedient to legislate on Senate Bill No. 105, An act in observance of the Lord's Day.

The question being on the motion of Mr. Smith.

(Discussion ensued)

Messrs. McDonough of Dover, Smith of Hudson and Molloy of Nashua spoke in favor of the motion.

Messrs. Hoyt of Sandwich, and Callahan of Keene spoke against the motion .

Mr. Noel of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Smith of Hudson.

On a *viva voce* vote the motion did not prevail.

Mr. Jones of Lebanon asked for a division.

A division being had 102 members voted in the affirmative and 211 members voted in the negative, and the motion to reconsider did not prevail.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, in

new draft and new title, in the passage of which the Senate asks the concurrence of the House of Representatives:

House Bill No. 457, (in new draft and new title), An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses and registration of guides.

Read a first and second time and referred to the Committee on Fisheries and Game.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives.

House Bill No. 313, An act to provide for the construction and equipment of an Armory in the City of Manchester.

Amend section 2 of said bill by adding at the end thereof the following:

From the proceeds of the sale of bonds herein authorized the state treasurer shall reimburse the general funds of the state for any monies drawn therefrom for the purposes of this act.

On motion of Mr. Barnard of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 121, An act relating to exemptions from taxation.

Amend section 1 of said bill by striking out the first nine lines and inserting in place thereof the following:

1. *Application of Provisions.* Amend section 25-a of chapter 60 of the Public Laws, as inserted by chapter 148

of the Laws of 1931, by striking out said section and inserting in place thereof the following: 25-a. *Improvements Only Exempted; Limitations.*

Further amend said section 1 by striking out the words "personal property owned and" in the twenty-third and twenty-fourth lines.

On motion of Mr. Sanderson of Pittsfield the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

THIRD READINGS

Senate Bill No. 133, An act relative to unemployment compensation.

Read a third time.

The question being,

Shall the bill pass?

(Discussion ensued)

Mr. McDonough of Dover spoke against the motion.

Mr. Dickinson of Danville spoke in favor of the motion.

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

House Bill No. 452, An act relating to the membership of the finance commission of Manchester.

Read a third time.

The question being,

Shall the bill pass?

On a *viva voce* vote the Chair was in doubt.

Mr. Barnard of Manchester called for a division.

A division being had 152 members voted in the affirmative and 157 members voted in the negative and the motion did not prevail.

Mr. Betley of Manchester demanded the yeas and nays and the roll was called with the following result:

YEAS, 166

ROCKINGHAM COUNTY: Tuttle of Atkinson, Dagan, Dickinson of Danville, Fogg of Deerfield, Fecteau, Beede, Syphers, Palmer of Kensington, Pridham, Turcotte of Newmarket, Fernald, Barrett of Portsmouth, Dondero, Kittredge, Gray, Yeaton, Cogan, Gile, Butterfield of Windham.

STRAFFORD COUNTY: McCooey, Chabot, Durkin, Grimes, McDonough, Durnin, Caldwell, Whitehouse, Jenkins, Colby, Berry, Cartier, Bergeron, Turcotte of Rochester, Nutter of Rollinsford, Lagueux, Habel, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Edgerly, Cantin.

CARROLL COUNTY: Russell, Winkley.

MERRIMACK COUNTY: Carter, Coakley, Rivet, Stearns of Concord, Sharaf, Ahern, Piper, Lemire, Dempsey, Douphinett, Perkins of Pittsfield, Sanderson.

HILLSBOROUGH COUNTY: Charois, Stearns of Hancock, Cole, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, Mahoney, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. Ward 6, Manchester, Connolly, Paul J. Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Walsh, Driscoll, Hayes of Manchester, Lareau, Gallagher, Gaudreault, VanVliet, Cullen, Kelley of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Boisvert, Lariviere, St. Germain, Vigneault, Drumm, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney, Thompson of New Ipswich.

CHESHIRE COUNTY: Despres, Sawyer of Jaffrey, Duffy, Roche, Hemenway, Woodbury of Sullivan, Crane, Dubois of Swanzey, Granger, Barrett of Troy, Relihan, Britton.

SULLIVAN COUNTY: Daly, Gaffney, Hosking, Quimby, Sheehan, Cummings of Newport, Kempton, Cram.

GRAFTON COUNTY: Davis, Goodwin, French, Jones of Lebanon, Madden, Soper, Howard.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Henderson of Berlin, Montminy, Studd, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Ramsay of Colebrook, Jordan of Errol, Chandler of Gorham, Thompson of Lancaster, Marshall, Brown of Stratford.

NAYS—175

ROCKINGHAM COUNTY: Havican, Shaw, Tenney, Burbank of Derry, Hepworth, Pillsbury, McReel, Merrill of Exeter, Tozier, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Estabrook of Newton, Knowles, Palmer of Plaistow, Foote, Badger, Marston, Drowne, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Caswell, Lucas, Blanchard, Richards, Longley, Dustin, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, O'Shan, Tarlson, Tilton of Ward 3, Laconia, Hoyt of Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Churchill, Day, Downs, Mudgett, Quint, Head, Huntress, Banfield, Hoyt of Sandwich, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Brown of Bow, Kemp, Baker, Boutwell, Mansur, Conlon, Saltmarsh, Hilton of Concord, Matson, Maxham, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Carr, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Clark of Bedford, Avery, Pattee, Reynolds, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Greer, Knowlton of Manchester, Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Maker, Foster, Frost, Wadleigh,

Atherton, Cooper, James, Winslow of Nashua, Duclos, Corliss, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Callahan, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Rice, King, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Etsler, Howe, Putnam of Claremont, Thomas, Johnson of Cornish, Brigham, Fairbanks, Kelly of Newport, Rogers.

GRAFTON COUNTY: Bailey of Bath, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Titus, Perley, Hoyt of Lebanon, Collins, Hamilton, Hildebrand, Bailey of Lyme, Jones of Monroe, Lufkin, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Dickson of Colebrook, Parkhurst, Willis, Parker, Cryan, Fogg of Milan, Johnson of Northumberland, Judd, Rix, Whitcher.

And the motion did not prevail.

On motion of Mrs. Rix of Shelburne at 2:55 o'clock the House adjourned until 11:00 o'clock tomorrow morning.

WEDNESDAY, JULY 28, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

ADDRESS

His Excellency Governor Francis P. Murphy, introduced His Excellency, Governor Elmer E. Benson of Minnesota, who addressed the House.

COMMITTEE REPORTS

Mr. Monroe of Andover for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bills.

Senate Bill No. 114, An act providing for special number plates for motor vehicles used by the national guard.

Senate Bill No. 121, An act relating to exemptions from taxation.

House Bill No. 313, An act to provide for the construction and equipment of an armory in the city of Manchester.

The report was accepted.

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Etsler of Claremont for the Committee on Rules reported the following entitled bill, House Bill No. 496, An act making further extension of appropriations heretofore made for old age assistance and poor relief, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time and referred to the Committee on Judiciary.

On motion of the same member the rules were further suspended and the printing of the bill and its reference to a committee were dispensed with and the bill put on its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 495, An act providing for a constitutional convention, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 107 (in new

draft) An act relating to public welfare, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend Senate Bill No. 107, in new draft, by striking out all after the enacting clause and inserting in place thereof the following:

1. *Department of Public Welfare.* There is hereby created a department of public welfare, hereinafter referred to as the department, which shall consist of a board of public welfare, a commissioner of public welfare, and such other officials and employees as may be hereinafter authorized.

2. *Board of Public Welfare.* The board of public welfare hereinafter referred to as the board, shall consist of three members, not more than two of whom shall be of the same political party, to be appointed by the governor, with the advice and consent of the council, on the basis of recognized interest in and knowledge of the problems of public assistance and public welfare, for a term of three years, except the first board whose members shall be appointed as follows: one for one year, one for two years and one for three years. The governor shall designate the Chairman.

Members of the board of public welfare shall be paid eight dollars per day, each, for such time as they are actually engaged in the service of the state and their actual expenses, and no member shall serve more than two consecutive terms. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time for cause.

3. *Duties of the Board.* It shall be the duty of the board to supervise and direct the department that its duties herein defined be effectuated.

4. *The Commissioner.* Said board shall appoint a commissioner of public welfare, hereinafter referred to as the commissioner, and, with the approval of the governor and

council, shall fix his salary. He shall serve during the pleasure of the board.

5. *Duties—Commissioner.* The commissioner shall serve as the executive and administrative officer of the department and shall be responsible for its management. He shall serve as clerk of the board. The commissioner shall appoint such personnel as may be necessary for the efficient performance of the duties prescribed in this act and shall prescribe their duties. Such personnel shall be appointed on a merit basis in accordance with objective standards as approved by the governor and council.

The commissioner shall have the authority to establish such divisions within the department as may be necessary for efficient administration and may allocate and reallocate functions among divisions within the department.

6. *Duties—Department.* Except as otherwise provided by law, the duties of the department with respect to the public assistance and welfare activities of the state shall be as hereinafter prescribed, for which funds appropriated for the general purposes of this act may be expended:

I. *General.* Develop plans to provide assistance to needy aged, to needy blind, and to dependent children; administer or supervise the administration of those activities and general relief by the county boards of public welfare.

II. *Child Welfare Service.* Develop and administer all state responsibilities relative to plans formulated in co-operation with the federal government to provide for child welfare services; supervise the administration of such services by the county boards of public welfare, and may administer directly such child welfare services. Child welfare services shall include: protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent; co-operation with state institutions for children, including investigation and follow up services; services and care for children in foster homes; and all other child welfare services authorized by law.

III. *Institutional Supervision—Private.* Supervise and

license all private institutions and private boarding homes providing assistance, care or other direct services to children who are neglected, delinquent, or dependent, as well as to the aged, blind, feeble-minded and other dependent persons.

IV. *Blind.* Develop or co-operate with other agencies in providing services to the blind, including the locating of blind persons, medical service for eye conditions, vocational guidance and training of the blind, placement of blind persons in employment, instruction of the adult blind in their homes, other services to blind persons, and a program for the prevention of blindness.

In connection with assistance to needy blind persons the department shall give due consideration to the special needs associated with the condition of blindness and shall: (a) promulgate rules and regulations stating in terms of ophthalmic measurements the amount of visual acuity which an applicant may have and be eligible for assistance; (b) establish the procedure for securing competent medical examinations; (c) designate or approve a suitable number of ophthalmologists or physicians skilled in diseases of the human eye, who must be duly licensed to practice medicine and actively engaged in the treatment of such diseases, to examine applicants and recipients of aid; (d) fix the fees to be paid for medical examination from funds available to the department.

V. *Medical Care of Needy.* In co-operation with state health authorities and county and local officials, develop and administer a plan for providing medical or other remedial care for needy persons.

VI. *Co-operation—State, Local.* Co-operate with other departments, agencies and institutions, both state and local, in performing services in conformity with the purposes of this act.

VII. *Co-operation—Federal.* Co-operate with the federal government in carrying out the purposes of the Federal Social Security Act, and in other matters of mutual concern

pertaining to public welfare and public assistance, including the adoption, so far as is consistent with the provisions hereof, of such methods of administration as are found by the federal government to be necessary for the efficient operation of the plan for such public assistance and welfare services.

VIII. *Reports—Federal.* Make such reports, in such form and containing such information, as the federal government may from time to time require, and comply with such provisions as the federal government may from time to time find necessary to assure the correctness and verification of such reports.

IX. *Transients.* Have the authority to enter into reciprocal agreements with public welfare agencies in other states relative to the provision of relief or assistance to transients and non-residents, and co-operate with other state departments and with the federal government in studying labor, health, and public assistance problems involved in transiency.

X. *Research.* Carry on research and compile statistics relative to public welfare throughout the state including dependency, delinquency, physical or mental incapacity, and related problems; and develop plans in co-operation with other public and private agencies for the prevention as well as treatment of conditions giving rise to public welfare problems.

XI. *Rules, Regulations.* Make such rules and regulations, and take action necessary or desirable to carry out the provisions of this act. Such rules and regulations shall be binding upon the county boards of public welfare and upon the towns, cities and counties.

XII. *Personnel Standards.* Establish standards for personnel employed by the department and by the county boards of public welfare and develop rules and regulations to maintain such standards.

7. *County Public Welfare Boards.* There are hereby established the following county public welfare boards:

Belknap public welfare board, Carroll public welfare board, Cheshire public welfare board, Coos public welfare board, Grafton public welfare board, Hillsborough public welfare board, Merrimack public welfare board, Rockingham public welfare board, Strafford public welfare board, Sullivan public welfare board. Each shall serve the area lying within the boundaries of the county named.

The county boards shall consist of the county commissioners and two other persons, residents of the county in which appointed, who shall be appointed by the governor with the approval of the council and who shall serve for terms of one year each. Members other than the county commissioners shall serve without pay but shall be reimbursed for their reasonable expenses.

8. *County Director.* With the approval of the board the county board shall appoint and fix the salary of a county director of public welfare who shall serve at the pleasure of the board of public welfare. The basis of selection of the county director shall be competency and qualifications for carrying out the duties of the office.

A county commissioner shall be eligible for appointment as said county director.

9. *Duties—County Director.* Each county director shall serve as the executive and administrative officer of the public welfare administration and shall be responsible for its management in his county. He shall serve as clerk of his county board.

The county director shall, with the approval of the county board of public welfare and the board of public welfare appoint such officials and employees as may be necessary for the efficient performance of the duties of county public welfare administration, including the appointment of at least one public welfare agent in each town or city, and fix their salaries. All such personnel must meet standards prescribed by the department.

10. *Duties—County Board.* The duties of the county board shall be, under the direction of the board of public

welfare, to supervise and direct the duties of the county director, that the public welfare administration herein provided be effectuated.

The county board shall be charged with the administration of all forms of public assistance, relief and service authorized in this act in the county and shall serve upon request as the agent of the department in carrying out duties and responsibilities of the department. If appointed by a court of competent jurisdiction the county director of public welfare shall perform, under the supervision of such court, the function of probation officer or agent of the court in any welfare matters which may be before the court.

11. *Assistance—Extraordinary.* In any county, city or town where there is failure to provide the public assistance and public welfare services to which individuals are entitled under the provisions of this act, the department shall provide the same and shall charge the cost thereof to those legally responsible.

12. *Liability for Support; Recovery.* Assistance rendered hereunder to anyone having in the state a father, mother, stepfather, stepmother, son or daughter whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action of debt by the department in the name of the state, from either a father, mother, stepfather, stepmother, son or daughter who are declared jointly and severally liable for such assistance. Such action shall be brought by the attorney general or the solicitor for the county in which anyone liable resides when so requested by the commissioner or the county director. Anyone against whom a judgment is secured hereunder who fails to pay the same shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

13. *Eligibility for Assistance.* Public assistance or relief shall be granted under this act to any needy person who has not sufficient income or other resources to provide a

reasonable subsistence compatible with decency and health; who has not made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this act at any time within two years immediately prior to the filing of his application for assistance;—and who is not an inmate of any public institution at the time of receiving assistance. An inmate of such an instituton, however, may make application for such assistance, but the assistance, if granted, shall not begin until after he ceases to be an inmate.

Assistance granted to persons who are 70 years of age or over shall be designated as "aid to the aged"; assistance granted to the needy blind shall be designated as "aid to the needy blind"; and assistance granted to dependent children shall be designated as "aid to dependent children." Assistance granted to these three groups shall be in the form of money payments to or with respect to needy individuals and such separate records and accounts shall be kept and other requirements met as are necessary to qualify for grants-in-aid from the federal governmnt.

For the purposes of this section a person shall be considered blind who has no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential. No person shall be eligible to receive "aid to the needy blind" while he is receiving "aid to the aged."

For the purposes of this section a dependent child shall be defined as a needy child under the age of sixteen who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home.

14. *Assistance—Amount.* The amount of assistance which any person shall receive shall be determined by the

county director with due regard to the resources and necessary expenditures in each case, and the conditions existing in each case and in accordance with the rules and regulations made by the department, and shall be sufficient when added to all other income and support of the case to provide such person with a reasonable subsistence compatible with decency and health.

15. *Assistance—Application for.* Application for assistance under this act shall be made in the first instance to the town or city public welfare agent or to the county director. The application shall be in writing and upon a form prescribed by the department. Except in cases of emergency no aid shall be granted until completion of the investigation herein required.

16. *Application—Investigation of.* Whenever an application for assistance under this act is received, an investigation and record shall promptly be made of the circumstances of the applicant in order to ascertain the facts supporting the application, and in order to obtain such other information as may be required by the rules of the department. The investigation shall include a visit to the home of the applicant.

17. *Assistance—Granting of.* Upon the completion of the investigation the county director shall decide whether the applicant is eligible for assistance under the provisions of this act and shall determine in accordance with the rules and regulations of the department the amount of such assistance and the date upon which assistance shall begin. The county director shall notify the applicant of his decision.

18. *Funeral Expenses.* On the death of the recipient reasonable funeral expenses may be paid subject to the rules and regulations of the department, by the county board, if the estate of the deceased is insufficient to pay the same.

19. *Appeal to the Board of Public Welfare.* If an application for assistance is not acted upon within a reasonable time after the filing of the application, or is denied in

whole or in part, or an award of assistance is modified or cancelled under any provision of this act, the applicant or recipient may appeal to the board of public welfare in the manner and form prescribed by it. The board shall, upon receipt of such an appeal, give the applicant or recipient reasonable notice and opportunity for a fair hearing.

20. *Recovery.* If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of the amount stated in the application, it shall be the duty of the recipient immediately to notify the county director of the receipt or possession of such property or income. On the death of any recipient, the total amount of assistance paid under this act shall be allowed as a claim against the estate of such person after reasonable funeral expenses have been paid and after the expenses of administering the estate have been paid. No claim shall be imposed against the real estate of a recipient while it is occupied as a home by a surviving spouse, or against any personal property of less than one hundred dollars in value.

The federal government shall be entitled, if such is required as a condition to federal financial participation, to not more than one-half of the net amount collected from the estate of a recipient of old age assistance.

21. *Fraudulent Acts.* Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain assistance, to which he is not entitled, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $200 or be imprisoned for not more than three months, or both.

22. *Financial Responsibility and Taxes.* The several towns and cities shall appropriate annually for the use of the county boards of public welfare and disbursement by the county directors amounts sufficient to pay thirty (30) per cent of the cost of aid to the aged and seventy-five (75) per cent of the cost of direct relief authorized to be granted under the provisions of this act. The towns and

cities shall pay to the county boards amounts hereunder required at such times as may be specified by the department.

The selectmen of towns and mayors of cities are hereby authorized and shall, upon instructions from the tax commission, direct the fixing of tax rates and the assessment of taxes, so that only such amounts shall be raised for the relief of the poor of the town or city as will represent, as nearly as may be estimated, the actual amount to be contributed by the town or city for that purpose, taking into consideration the assistance which may be given said city or town by the state or federal agencies.

Provided the federal government contributes fifty per cent (50%) of the total amount needed to provide aid to the needy blind and aid to dependent children, the state shall contribute the remaining fifty per cent (50%); provided the federal government contributes fifty per cent (50%) of the total amount needed to provide aid to the needy aged, the state shall contribute twenty per cent (20%) of said total.

If the federal government's contribution is less than fifty per cent (50%) of the total amount needed to provide aid to the needy blind, aid to dependent children, or aid to the needy aged, the State's contribution hereunder correspondingly shall be reduced and the town's and city's correspondingly increased, and for this purpose the several towns and cities shall appropriate the additional amount needed for the type of assistance affected.

The state shall pay twenty-five per cent (25%) of the cost of direct relief.

23. *Administration.* All of the cost of administering the assistance and other services authorized hereunder shall be paid by the state.

24. *Financial Procedure.* Each county board shall each month, on a date specified by the department, submit a statement of an estimate of expenditures to be made under this act for the following month. The department may

change or disallow any such sums as it has reason to believe have been improperly requested. The department shall pay to the county boards such sums as approved. The department shall have authority to establish procedures for handling any necessary emergency disbursements.

25. *Audit of Accounts.* No state grants or reimbursements shall be made to county boards for public assistance under the provisions hereof until the bills or accounts showing the expenditures for such assistance by said county boards have been submitted to or approved by the commissioner, provided that grants and reimbursements may be made on the basis of estimates of requirements, but such grants shall be subject to final audit and adjustment.

26. *Public Assistance Fund Created.* There is hereby established in the state treasury a public assistance fund which shall consist of all funds made available for the purposes of this act by the federal government or the state. Within this fund there shall be established the following separate accounts: Old Age Assistance; Blind Assistance and Service; Aid to Dependent Children; Child Welfare Services; General Public Assistance and Relief; and Administration and Service.

The commission, with the approval of the governor and council, may make transfers of state funds between accounts within the fund. Monies shall be disbursed from this fund upon authorization of the department for the purposes of this act. (1) All monies advanced to or otherwised placed at the disposal of the state by the federal government and accepted by the state under the provisions hereof, (2) all monies received from counties, towns or cities pursuant to the provisions hereof, (3) the sums appropriated for welfare and relief under the two acts making appropriations for the state for the years ending June 30, 1938, and June 30, 1939, (4) the monies heretofore or hereinafter appropriated to carry out the provisions of this act, (5) the proceeds of the sale of any notes authorized hereunder, and (6) such sums as the governor and council

from time to time may authorize to be transferred from the special fund constituted by chapter 126 of the Laws of 1931 to said public assistance fund, shall be kept by the state treasurer in the said public assistance fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this act and other purposes of the board authorized by law.

27. *Transfer of Funds.* In making grants and reimbursements to counties, cities and towns, as provided for herein, the state may use such surplus funds as are held in the special fund constituted by chapter 126 of the Laws of 1931, as amended, which are not needed for the sinking fund, as the governor and council may authorize the state treasurer to transfer from time to time from said special fund to the public assistance fund.

28. *Appropriation.* For each of the fiscal years ending June 30, 1938, and June 30, 1939, the sum of seven hundred thousand dollars ($700,000) is hereby appropriated payable out of any funds in the treasury not otherwise appropriated.

29. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act the state treasurer is hereby authorized in the discretion of the governor and council to borrow in such amounts as may be determined by the governor and council upon the credit of the state, four hundred thousand dollars ($400,000) for the fiscal year ending June 30, 1938, and four hundred thousand dollars ($400,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1939, and for that purpose may issue notes in the name of, and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denomination, at such dates of maturity and at such time as the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes countersigned by the governor, showing the

number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in such manner as they may deem most advantageous to the state. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the laws of 1931 to pay such notes they may be extended or refunded by short term notes provided, however, that in determining the total amount authorized to be borrowed under this section, no account shall be made of duplications due to extensions or refundings.

30. *Equalization.* Should a county find that it is impossible to pay the amounts required hereunder, it may file a petition with the department, requesting financial aid. The department shall cause an investigation to be made of all pertinent factors relating to the financial circumstances of the petitioning county. The department may, with the approval of the governor and council, loan or grant to the county such amount as may be necessary.

31. *Adjustments.* In any town, city or county in which selectmen of towns, mayors of cities or the county boards feel there is an unjust and unwarranted burden because of assistance which has been granted to persons who have not resided within the town, city or county for more than one year, said officials may petition the department for relief, setting forth the facts. The department may, with the approval of the governor and council, make such adjustment deemed equitable.

32. *Agencies Abolished.* The state board of welfare and relief, established by chapter 20, Laws of 1935, and the state board of public welfare, established by chapter 108 Public Laws, as amended by chapter 177, Laws of 1929,

are hereby abolished and all properties and records of such boards shall be transferred immediately to the department herein created. Any balance of funds or approportion heretofore made available to the state board of welfare and relief under chapter 20, Laws of 1935, or any other act, shall be available to the department. Any provision of law not expressly repealed hereby referring to the state board of public welfare or the state board of welfare and relief shall be construed as referring to the department of public welfare.

33. *State Veterans' Service Officer.* The commissioner shall, with the approval of the governor and council, appoint and fix the salary of a state veterans' service officer, who shall be an honorably discharged veteran of a war in which the United States was engaged. He shall serve during the pleasure of the commissioner. The duties of the state veterans' service officer shall be to assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations, and such other duties as may be delegated to him by the commissioner.

34. *Repeal.* Amend section 1 of chapter 23 of the Public Laws by striking out the words "Paupers and" in the third line, so that said section as amended shall read: 1. *Legal Voters.* Every inhabitant of each town, being a native or naturalized citizen of the United States, of the age of twenty-one years and upward, excepting persons excused from paying taxes at their own request, shall have a right, at any meeting, to vote in the town in which he dwells and has his home.

Amend chapter 23 of the Public Laws by striking out sections 2 and 5.

Amend chapter 38 of the Public Laws by striking out section 8.

Amend chapter 47 of the Public Laws by striking out section 20.

Amend section 1 of chapter 60 of the Public Laws by

striking out the word "Paupers", so that said section, as amended will read:

1. *Persons Liable.* A poll tax of two dollars shall be assessed on every inhabitant of the state from twenty-one to seventy years of age, whether a citizen of the United States or an alien, except insane persons, the widow of any soldier, sailor or marine who served in the army, navy or marine corps in any war in which the United States was engaged and others exempt by special provisions of law.

Amend chapter 105 of the Public Laws, as amended, by striking out the same.

Amend chapter 106 of the Public Laws, as amended, by striking out therefrom sections 1 to 19, inclusive, and sections 22 to 31, inclusive, and renumbering the remaining sectons.

Amend chapter 107 of the Public Laws, as amended, by striking out therefrom sections 1 to 13 inclusive, sections 15 to 17, inclusive, and section 19, and renumbering the remaining sections.

Amend chapter 108 of the Public Laws, as amended, by striking out the same.

Amend chapter 109 of the Public Laws, as amended, by striking out the same.

Amend chapter 115 of the Public Laws, as amended, by striking out sections 9, 14, 15, 16 and 17.

Amend section 19 of chapter 378 of the Public Laws by striking out the same and inserting in place thereof the following so that said section shall read: 19. *Giving Liquor to One Receiving Assistance, Etc.* No person shall give or otherwise furnish to a person receiving public assistance or to a person committed to a house of correction any spirituous liquor, except by permission of the keeper thereof; nor to a spendthrift or idle person under guardianship, except by permission of his guardian, nor to any minor.

Amend section 20 of chapter 378 of the Public Laws by striking out the same.

Amend chapter 91 of the Laws of 1931 by striking out the same.

Amend chapter 79 of the Laws of 1933 by striking out the same.

Amend chapter 20 of the Laws of 1935 by striking out the same.

Amend chapter 127 of the Laws of 1935 by striking out the same.

Amend chapter 137 of the Laws of 1935 by striking out the same.

36. Amend section 24 of chapter 20 of the Laws of 1935, as amended by act approved June 30, 1937, by striking out the same and inserting in place thereof the following, so that said section shall read:

24. *Duration of Act.* The provisions of this act shall terminate August 31, 1937.

37. *Takes Effect.* This act shall take effect September 1, 1937, except section 36 which shall take effect upon passage of this act.

The report was accepted, and the bill with the amendments pending were referred to the Committee on Appropriations under the rules.

On motion of Mr. Etsler of Claremont the Clerk was instructed to procure 1000 copies of the amendments printed in separate form.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 162 (in new draft), An act to provide for the purification of the waters of Lake Winnisquam by installing a sewage disposal plant for the city of Laconia, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted.

The question being on the report of the committee.

Mr. Tilton of Ward 4, Laconia, moved to substitute the words "ought to pass" for that of "inexpedient to legislate."

The question being on the motion of Mr. Tilton.

(Discussion ensued)

Mr. Tilton spoke in favor of the motion.

Messrs. Seavey of Rochester and Callahan of Keene spoke against the motion.

Mr. Tilton asked for a division but subsequently withdrew his request.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution reported by committee.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Brungot of Berlin, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Snodgrass of Berlin for the Committee consisting of the Delegation from the city of Berlin, to whom was referred House Bill No. 34, An act relating to the charter of the city of Berlin, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time laid upon the table to be printed.

On motion of Mr. Ahern of Concord business in order at three o'clock this afternoon was made in order at the present time.

COMMITTEE APPOINTMENT

The Speaker appointed as members on the Committee of Conference to House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand, or name, Messrs. Hart of Wolfeboro, Wadleigh of Milford and Fecteau of Epping.

On motion of Mrs. Hoyt of Lebanon at 12:17 o'clock the House adjourned until 11:00 o'clock tomorrow morning.

THURSDAY, JULY 29, 1937.

The House met at 11:00 o'clock.

The House met with the Honorable Senate in the Senate Chamber where prayer was offered by the Chaplain.

WEEK-END RESOLUTION

On motion of Mrs. Cooper of Nashua:

Resolved, that when the House adjourns this morning it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourns to meet Monday evening at 6:00 o'clock.

COMMITTEE REPORTS

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of two hundred fifty dollars ($250) be and hereby is appropriated to compensate John Fredette of Westmoreland for injuries received while working on a bridge on a state aided road in said Westmoreland January 8, 1937, and the further sum of one hundred and thirty-six dollars ($136) be and hereby is appropriated for the Elliott Community Hospital of Keene in payment of hospital expenses incurred by said John Fredette as a result of said injuries. The appropriations hereby made shall be in full settlement of said claim and shall be a charge upon the highway fund.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Rogers of Plainfield for the Committee on Agriculture, to whom was referred House Bill No. 420, An act to protect and promote the public health by eradicating bang's

disease and tuberculosis in cattle, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate, subject matter included in the budget.

The report was accepted and the resolution of the committee adopted.

Mr. Seavey of Rochester for the Committee on Rules reported the following joint resolution, Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 496, An act making a further extension of the appropriation heretofore made for old age assistance and poor relief.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 433, An act relative to athletic exhibitions.

Amend section 1 of said bill by striking out the paragraph numbered 14 and inserting in place thereof the following:

14. *Permits, Licenses.* No person shall participate as a contestant, manager, referee, second, or timekeeper in any boxing or wrestling contest, bout or exhibition within the state without having first procured from the commission a permit or license to so act. Such permits or licenses may be revoked by the commission for cause.

Amend paragraph numbered 15 of said bill by striking out the same and inserting in place thereof the following:

15. *Fees.* For the period of one year from the date of the passage of this act the following fees for permits and licenses are established: Permit, (which shall be valid for one show only) promotor, three dollars, boxer or wrestler, three dollars, for main bout or all star exhibition, two dollars for semi-final bout and one dollar for preliminary bout, second, one dollar, timekeeper, one dollar, manager, two dollars; Annual license, (which shall be valid for one year) promotor, twenty-five dollars, boxer, seven dollars, manager, ten dollars, referee, ten dollars, second, five dollars and timekeeper, five dollars. The commission may issue to an amateur boxer or wrestler an amateur card which shall be valid for one year. The fee for such amateur card shall be twenty-five cents.

Amend the paragraph numbered 26 by striking out the word "supreme" and inserting in place thereof the word, superior, where it occurs in said paragraph.

On motion of Mr. Roche of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had recalled from the Governor for further consideration Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

The message further announced that the Senate refused to concur in the amendments sent up from the House of Representatives on Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, and asks for a Committee of Conference, and the President has appointed on the part of the Senate Senators Hanson and Randall.

On motion of Mr. Ahern of Concord the House voted to accede to the request of the Honorable Senate for a Committee of Conference and the Speaker appointed as mem-

bers on such committee on the part of the House, Messrs. Avery of Goffstown, Mudgett of Conway and Stearns of Concord.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 137, An act relating to the powers of the Governor and Council.

SENATE BILL READ AND REFERRED

Senate Bill No. 137, An act relating to the powers of the Governor and Council.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of resolutions by their captions made in order.

THIRD READINGS

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mr. DuBois of Swanzey at 11:47 o'clock the House adjourned.

FRIDAY, JULY 30, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, July 30, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

On motion of Mr. Baker of Concord at 9:01 o'clock the House adjourned.

MONDAY, AUGUST 2, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, August 2, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, AUGUST 3, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Baker of Concord was granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the Committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 444, An act relating to the operation of a recreation field by the city of Berlin.

House Bill No. 496, An act making a further extension of the appropriation heretofore made for old age assistance and poor relief.

Senate Bill No. 133, An act relative to unemployment compensation.

House Bill No. 433, An act relative to athletic exhibitions.

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 495, An act providing for a constitutional convention, reported the same with the recommendation that the bill ought to pass.

Mr. Hoyt of Sandwich moved that the bill and accompanying report be indefinitely postponed.

The question being on the motion of Mr. Hoyt of Sandwich.

(Discussion ensued)

Messrs. Hoyt of Sandwich and Dickinson of Rochester spoke in favor of the motion.

Messrs. McDonough of Dover, Rogers of Plainfield, and Seavey of Rochester, and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the report of the committee that the bill ought to pass.

On a *viva voce* vote the report was adopted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 490, An act relating to transportation of pupils attending approved private schools, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all that follows the enacting clause thereof and inserting in place thereof the following:

1. *Transportation.* Amend chapter 117 of the Public Laws by inserting after section 7, as amended by chapter 76 of the Laws of 1933, the following new section: 7-a. Pupils attending approved private schools may in the discretion of the school board be entitled to the same transportion privileges as are provided for pupils in public schools, within any town or district up to and not exceeding the ninth grade.

2. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

(Discussion ensued)

Messrs. Etsler of Claremont, Molloy of Nashua, Callahan of Keene and Perley of Lebanon spoke in favor of the amendment.

Mr. Dickinson of Rochester spoke against the amendment.

Mr. Dickinson of Rochester moved that the bill and the amendment be indefinitely postponed.

The question being on the motion of Mr. Dickinson.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Wiggin of Tamworth offered the following amendment:

Amend section 1 by adding at the end thereof the following:

The provisions of this section does not include towns not having a private or parochial school within the town limits.

The question being on the amendment offered by Mr. Wiggin of Tamworth.

(Discussion ensued)

Mr. Wiggin of Tamworth spoke in favor of the amendment.

Mr. Etsler of Claremont spoke against the amendment.

On a *viva voce* vote the amendment was not adopted, and the bill was ordered to a third reading.

Mrs. Brungot of Berlin for the special committee consisting of the Delegation of the city of Berlin. to whom was referred House Bill No. 34 (in new draft), An act relating to the charter of the city of Berlin, reported the same with the recommendation that the bill ought to pass.

Mrs. Brungot of Berlin offered the following amendment:

Amend section 12 by striking out in lines 3, 4 and 5 (of the printed bill) the following: "the city clerk shall receive an annual salary of three thousand dollars, and the deputy city clerk an annual salary of eighteen hundred dollars," and by striking out in lines 7, 8, 9 and 10 (of the printed bill) the following: "Any fees provided by law for the office of city clerk shall be paid into the city treasury, within such period of time as may be required by law or determined by the city council." So that said section as amended shall read as follows:

12. *Salaries.* Beginning with the first day of March,

1938, the mayor shall receive an annual salary of fifteen hundred dollars. Such salary shall be in full and for services of every kind rendered and shall be paid monthly. Beginning with March 1, 1938, each councilman shall receive a per diem payment of four dollars for actual attendance at all regular, special or adjourned meetings. but no councilman shall receive more than a total of two hundred dollars in any one year.

The question being on the amendment offered by Mrs. Brungot.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mrs. Mason of Berlin offered the following amendments:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Municipal Elections.* Municipal elections shall be held on the second Tuesday of March beginning with 1939, and biennially thereafter, at such place in said city as may be fixed by the city council. Excepting moderators, supervisors of the checklists and officers elected or receiving appointments in manner otherwise provided, all city and ward officers shall be chosen at such municipal elections.

Amend section 13 of said bill by striking out the same and inserting in place thereof the following:

13. *Referendum; Takes Effect.* This act shall not take effect unless it is adopted by a majority vote of the legal voters present and voting on the question at the regular city election to be holden in the city of Berlin on the second Tuesday of March, 1938, under an article in the warrants for such meeting. The mayor and council shall meet at two o'clock in the afternoon on the second day after said meeting, examine the returns and declare the result. If it shall appear that a majority of those voting at said meeting on said question have voted in the affirmative the act shall be

declared to have been adopted. If adopted as hereinbefore provided that act shall, except as otherwise herein provided, take effect on the second Tuesday of March, 1939. Any officers, except councilmen, chosen and qualified by the charter provisions in force prior to said second Tuesday of March, 1939, shall hold their offices for the remainder of the term thereof as therein provided and until their successors are chosen and qualified.

The question being on the amendments offered by Mrs. Mason of Berlin.

(Discussion ensued)

Mrs. Mason of Berlin and Mrs. Brungot of Berlin spoke in favor of the amendments.

Mr. Studd of Berlin spoke against the amendments.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 488, An act relating to the salary of the state pathologist, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

COMMITTEE OF CONFERENCE REPORTS

Mr. Hart of Wolfeboro for the Committee of Conference, to whom was referred House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name, having considered the same recommend that the Senate recede from its position in adopting its amendments and that the House recede from its position of non-concurrence and that the following amendments be adopted:

Amend by striking out section 5.

Further amend by renumbering sections 6 and 7 to read 5 and 6.

HOWARD H. HAMLIN,
ARTHUR O. BURQUE,
Conferees on the part of the Senate.

H. H. HART,
F. T. WADLEIGH,
THOMAS W. FECTEAU,
Conferees on the part of the House.

The report was accepted and the recommendations adopted.

Mr. Hart of Wolfeboro for the Committee of Conference, to whom was referred House Bill No. 277 (in new draft), An act relating to marriage, report the same with the recommendation that the House recede from its position of non-concurrence and concur with the amendments sent down by the Senate.

AUSTIN L. CALEF,
ALLEN M. FREEMAN,
CHARLES F. EASTMAN,
Conferees on part of Senate.

H. H. HART,
RUDOLPH G. CARTIER,
DONALD W. SALTMARSH,
FRED A. JONES,
JOHN P. KELLY,
Conferees on part of House.

The question being on the report of the committee.

Mr. McDonough of Dover moved that the report of the committee be rejected.

The question being on the motion of Mr. McDonough.

(Discussion ensued)

Messers. McDonough of Dover and Wilcox of Nashua spoke in favor of the motion.

Messrs. Etsler of Claremont, Jones of Lebanon, Rowe of

Henniker and Mrs. Cooper of Nashua spoke against the motion.

Mr. Hart of Wolfeboro moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. McDonough of Dover.

On a *viva voce* vote the negative prevailed.

Mr. McDonough of Dover asked for a division.

A division being had 138 members voted in the affirmative and 163 members voted in the negative and the motion did not prevail.

Mr. McDonough of Dover demanded the yeas and nays and the roll was called with the following result:

NAYS—173

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Abbott of Derry, Burbank of Derry, Pillsbury, Fecteau, Sypers, Emerson, Perkins of Hampton, Stevens, Nesmith, Pridham, Knowles, Fernald, Barrett of Portsmouth, Foote, Gray, Yeaton, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, Henderson of Dover, McCooey, Caswell, Garland, Durnin, Caldwell, Whitehouse, Longley, Colby, Berry, Dustin, Cartier, Turcotte of Rochester, Dickinson of Rochester, Seavey, Varney, Nutter of Rollinsford, Lagueux, Dubois of Somersworth.

BELKNAP COUNTY: Little, Adams of Belmont, Hunt, Edgerly, Tarlson, Tilton of Ward 3, Laconia, Dickson of Laconia, Sanders, Smith of New Hampton.

CARROLL COUNTY: Russell, Churchill, Downs, Mudgett, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Carter, Brown of Bow, Stearns of Concord, Kemp, Boutwell, Butterfield of Concord, Sturtevant, Tilton of Concord, Brunel of Concord, Matson,

Sharaf, Rowe, Fowler, Mitchell, Carr, Perkins of Pittsfield, Sanderson, Hill.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Cole, Daniels, Greer, Knowlton of Manchester, Johnson of Manchester, Kimball, Woodbury of Manchester, Van Vliet, Kelley of Ward 11, Manchester, Wadleigh, Atherton, Cooper, Winslow of Nashua, Moran, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Despres, Sawyer of Jaffrey, Jones of Keene, Park, Gates, Hilton, Spaulding, Hemenway, Rice, Woodbury of Sullivan, Crane, Granger, King, Burbank of Winchester.

SULLIVAN COUNTY: Hutchins of Charlestown, Etsler, Quimby, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Osborne.

GRAFTON COUNTY: Bailey of Bath, Pulsifer, Graham, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Titus, French, Hoyt of Lebanon, Jones of Lebanon, Collins, Hildebrand, Soper, Bailey of Lyme, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Sawyer of Woodstock.

COOS COUNTY: Mason, Moffett, Studd, Brungot, Ramsey of Berlin, Snodgrass, Dugas, Myler, Seymour, Chandler of Gorham, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Rix, Fuller, Whitcher.

YEAS—148

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Fogg of Deerfield, Hepworth, McReel, Tozier, Beede, Creighton, Palmer of Kensington, Palmer of Plaistow, Pray, Cogan, Badger, Gile, Marston, Drowne, Butterfield of Windham.

STRAFFORD COUNTY: Chabot, Durkin, Lucas, McDonough, Blanchard, Richards, Jenkins, Bergeron.

BELKNAP COUNTY: Rollins, White, O'Shan, Normandin, Hoyt of Laconia, Cantin, Newell, O'Shea.

CARROLL COUNTY: Day, Huntress, Wiggin.

MERRIMACK COUNTY: Munroe, Coakley, Rivet, Mansur, Maxham, Ahern, Nutter of Epsom, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Ball, Mock.

HILLSBOROUGH COUNTY: Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Barnard, Gage, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Clancy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Gorham, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Driscoll, Lareau, Gallagher, Gaudreault, Aubin, Caron, Letendre, Soucy, Lariviere, St. Germain, Maker, Foster, Frost, James, Armington, Duclos, Bernard, Drumm, Berube, Marquis, St., Francois, Ledoux, Lougee, Maddox, Molloy, Noel, Wilcox, Bouthillier.

CHESHIRE COUNTY: Firmin, Robertson, Callahan, Knowlton of Keene, Duffy, Barrett of Troy, Relihan, Horner.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Kempton, Rogers, Cram.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Remick of Bristol, Remick of Groton, Perley, Dubuque, Sliney, Jones of Munroe.

COOS COUNTY: Barden, Collette, Henderson of Berlin, Montminy, Palmer of Berlin, Bixby, Felton, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Marshall, Judd, Brown of Stratford.

Mr. Kittredge of Portsmouth voting No paired with Mr. Hanley of Manchester voting Yes.

Mr. Graves of Keene voting No, paired with Mr. Betley of Manchester voting Yes.

And the motion did not prevail.

The question being on the report of the committee.

On a *viva voce* vote the report was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

House Joint Resolution No. 140, Joint resolution relative to the New York World's Fair.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendment to the following entitled joint resolution:

Senate Joint Resolution No. 9, Joint resolution in favor of John Fredette.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 485, An act authorizing the Jaffrey School District in the Town of Jaffrey to borrow money and to issue serial notes or bonds.

Amend section 2 of said bill by striking out all after the word "district" in the sixth line.

Amend said bill by inserting after section 3 the following new section:

4. *Application of Laws.* Except as otherwise provided in this act the provisions of the municipal bonds statute shall apply to the notes or bonds herein authorized.

Further amend said bill by renumbering section 4 to read section 5.

On motion of Mr. Sawyer of Jaffrey the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 495, An act providing for a constitutional convention.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

Read a third time.

The question being

Shall the bill pass?

Mr. Mitchell of Hooksett demanded the yeas and nays and the roll was called with the following result:

NAYS, 81

ROCKINGHAM COUNTY: Tuttle of Atkinson, Fogg of Deerfield, Tozier, Syphers, Perkins of Hampton, Creighton, Knowles, Fernald, Palmer of Plaistow, Badger, Gile, Jewell.

STRAFFORD COUNTY: Atwood, Caswell, Jenkins, Dustin, Dickinson of Rochester, Varney.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Edgerly, Tarlson, Smith of New Hampton, Churchill, Day, Downs, Head, Winkley, Hoyt of Sandwich, Wiggin.

MERRIMACK COUNTY: Munroe, Matson, Nutter of Ep-

som, Rowe, Fowler, Mitchell, Hill.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Reynolds, Cole, Abbott of Hudson, Daniels, Greer, Tuttle of Temple, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Jones of Keene, Park, Gates, Hilton, Hemenway, Woodbury of Sullivan.

SULLIVAN COUNTY: Thomas.

GRAFTON COUNTY: Bailey of Bath, Hammond, Pulsifer, French, Collins, Soper, Bailey of Lyme, Lufkin, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Felton, Parkhurst, Jordan of Errol, Willis, Parker, Cryan, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Rix, Fuller.

YEAS, 238

ROCKINGHAM COUNTY: Dagan, Havican, Shaw, Tenney, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, McReel, Beede, Emerson, Palmer of Kensington, Stevens, Nesmith, Pridham, Barrett of Portsmouth, Foote, Gray, Yeaton, Canty, Cogan, Marston, Drowne, Adams of Seabrook, Butterfield of Windham.

STRAFFORD COUNTY: Henderson of Dover, McCooey, Chabot, Durkin, Lucas, McDonough, Durnin, Blanchard, Richards, Caldwell, Whitehouse, Longley, Colby, Berry, Cartier, Bergeron, Turcotte of Rochester, Seavey, Nutter of Rollinsford, Lagueux, Dubois of Somersworth.

BELKNAP COUNTY: Hunt, O'Shan, Normandin, Tilton of Ward 3, Laconia, Hoyt of Laconia, Cantin, Dickson of Laconia, Newell, Sanders, O'Shea, Russell, Mudgett, Huntress, Banfield, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Kemp, Mansur, Butterfield of Concord, Sturtevantt, Brunel of Concord, Maxham, Sharaf, Ahern, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Ball, Carr, Perkins of Pittsfield, Sanderson, Mock.

HILLSBOROUGH COUNTY: Avery, Pattee, Charois, Cummings of Lyndeborough, Chase, Knowlton of Manchester,

Barnard, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Poulin, Driscoll, Lareau, Gallagher, Gaudreault, Van Vliet, Kelley of Ward 11, Manchester, Aubin, Letendre, Soucy, Lariviere, St. Germain, Maker, Foster, Frost, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Duclos, Bernard, Drumm, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Robertson, Sawyer of Jaffrey, Callahan, Knowlton of Keene, Spaulding, Duffy, Roche, Rice, Crane, Dubois of Swanzey, Granger, Barrett of Troy, King, Relihan, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Chandler of Claremont, Daly, Etsler, Gaffney, Hosking, Putnam of Claremont, Quimby, Sheehan, Johnson of Cornish, Cummings of Newport, Kelly of Newport, Kempton, Rogers, Osborne, Cram.

GRAFTON COUNTY: Davis, Goodwin, Remick of Bristol, Graham, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Titus, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Sliney, Hildebrand, Jones of Monroe, Howard, Bell, Merrill of Plymouth, Sawyer of Woodstock.

COOS COUNTY: Barden, Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsay of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Ramsay of Colebrook, Chandler of Gorham, Marshall, Judd, Brown of Stratford, Whitcher.

And the bill passed and was sent to the Senate for concurrence.

PERSONAL PRIVILEGE

Mr. Grimes of Dover stated that he was unavoidably detained, and had he been present he would have voted in favor of House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

On motion of Mr. Cryan of Lancaster at 1:50 o'clock the House adjourned until 11:00 o'clock tomorrow morning.

WEDNESDAY, AUGUST 4, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

(Mrs. Charois of Greenville in the Chair)

The Speaker appointed the member from Greenville to act as Speaker.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 485, An act authorizing the Jaffrey School District in the town of Jaffrey to borrow money and to issue serial notes or bonds.

Senate Joint Resolution, No. 9, Joint resolution in favor of John Fredette.

(The Speaker in the Chair)

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 135, An act

relative to political contributions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 137, An act relating to powers of Governor and Council, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graham of Canaan for the Committee on Revision of the Statutes, to whom was referred House Bill No. 491, An act providing an appeal from the State Board of Health, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting in line 6 after the word "certiorari" the words, filed within fourteen days of the date of any such decision, ruling or order so that said section as amended will read as follows:

1. Amend chapter 141 of the Public Laws, as amended by chapter 11, Laws of 1933, by adding after section 19-a the following section: 19-b. Any person aggrieved by any decision, ruling or order made by the State Board pursuant to the provisions of section 19-a, shall have the right to appeal to the Superior Court for a review of said decision, ruling or order, by petition for certiorari filed within fourteen days of the date of such decision, ruling or order. Pending review, such decision, ruling or order shall be and remain in force unless justice shall require its suspension. Upon hearing, the burden of proof shall be upon the party seeking relief, and in addition to the record all evidence relevant to the issues shall be received and considered. Such final order or decree shall be entered as justice may require, but the decision, ruling or order under review shall not be set aside, quashed or modified, except for errors of law, unless it shall appear by a clear preponderance of evidence

that such decision, ruling or order is unjust or unreasonable.

The report was accepted and the amendment adopted.

Mr. Winslow of Chesterfield moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Winslow.

(Discussion ensued)

Mr. Winslow of Chesterfield spoke in favor of the motion.

Messrs. Jones of Lebanon, McDonough of Dover and Remick of Bristol spoke against the motion.

On a *viva voce* vote the motion did not prevail and the bill was ordered to a third reading.

Mr. Park of Keene for the special committee consisting of the Delegation from the city of Keene, to whom was referred House Bill No. 494, An act in relation to the Keene shops of the Boston and Maine Railroad, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the special committee consisting of the Delegation from the city of Keene, to whom was referred House Bill No. 494, An act in relation to the Keene shops of the Boston and Maine Railroad, being unable to agree with the majority, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

WILLIAM J. CALLAHAN,
CARL D. ROCHE,
JOHN M. DUFFY,
A Minority of the Committee.

Mr. Roche of Keene moved that the minority report, that it is inexpedient to legislate, be substituted for the report of the majority that the bill ought to pass, and with this motion pending the bill and accompanying reports be laid

upon the table and made a special order for Tuesday, August 10, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

COMMITTEE OF CONFERENCE REPORT

Mr. Avery of Goffstown for the Committee of Conference, to whom was referred Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, having considered the same recommend that the Senate recede from its position of non-concurrence in adopting the amendments sent up by the House of Representatives and that the House recede from its position in adopting its amendments and that the following amendment be adopted:

Amend the bill by inserting in line 11 of section 1 after the word, of, cables or, so that the bill as amended shall read as follows:

1. *Required Equipment.* Amend section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 4-a. *Trailers and semi-trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, refreshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportaton of cables or poles, not to exceed three in number, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

2. Rules and regulations prescribed by the Motor Vehicle Commissioner pertaining to truck brake inspections shall apply to trailers and semi-trailers.

3. *Takes Effect.* This act shall take effect sixty (60) days after its passage.

W. B. HANSON,
DON. W. RANDELL,
Conferees on part of Senate.

CLARENCE J. AVERY,
RALPH L. STEARNS,
PERLEY MUDGETT,
Conferees on part of House.

The question being on the report of the committee.

On a *viva voce* vote the report was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to adopt the report of the Committee of Conference on the following bills:

House Bill No. 62, An act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

House Bill No. 277 (in new draft), An act relating to marriage.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolution by caption made in order.

House Bill No. 491, An act providing an appeal from the State Board of Health.

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 135, An act relative to political contributions.

Senate Bill No. 137, An act relating to powers of Governor and Council.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. King of Walpole at 11:50 o'clock the House adjourned until 11:00 o'clock tomorrow morning.

THURSDAY, AUGUST 5, 1937.

The House met this morning at 11:00 o'clock.

Prayer was offered by the Chaplain.

(Mrs. Brungot of Berlin in the Chair)

The Speaker appointed the member from Berlin to act as Speaker during prayer.

(Speaker in the Chair)

WEEK-END RESOLUTION

Mrs. Banfield of Moultonboro offered the following resolution:

Resolved, That when the House adjourns this morning it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourns to meet Monday evening at 6:00 o'clock.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills.

Senate Bill No. 135, An act relative to political contributions.

Senate Bill No. 137, An act relating to powers of governor and council.

House Bill No. 480, An act relating to a state prison farm.

The report was accepted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 480, An act relating to a State Prison Farm.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 139, An act relative to canned lobster meat.

SENATE BILL READ AND REFERRED

Senate Bill No. 139, An act relative to canned lobster meat.

Read a first and second time.

On motion of Mr. Guay of Laconia the rules were suspended and the printing of the bill and its reference to a committee were dispensed with and the bill made in order for a third reading, by its title at the present time.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Sanders of Laconia at 11:25 o'clock the House adjourned.

FRIDAY, AUGUST 6, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, August 6, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, AUGUST 9, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, August 9, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, AUGUST 10, 1937.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

(Mrs. Cooper of Nashua in Chair)

The Speaker appointed the member from Nashua to act as Speaker during prayer.

(The Speaker in the Chair)

LEAVES OF ABSENCE

Mr. Normandin of Laconia was granted leave of absence for the day on account of important business.

Messrs. Knowlton and Greer of Manchester and Baker and Sturtevant of Concord were granted leave of absence for the week on account of important business.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 139, An act relating to canned lobster meat.

House Bill No. 62, An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name.

House Bill No. 207, An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye.

House Bill No. 277, An act relating to marriage.

The report was accepted.

Mr. Sawyer of Woodstock, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 1 the following:

4-b. *Application of Regulations.* Rules and Regulations prescribed by the motor vehicle commissioner pertaining to truck brake inspections shall apply to brakes on trailers and semi-trailers.

2. *Takes Effect.* This act shall take effect sixty days after its passage.

On motion of Mr. Etsler of Claremont, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mr. Adams of Seabrook, for the Committee on Fisheries and Game, to whom was referred House Bill No. 457 (In Senate New Draft and New Title), An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides and provisions relative to fishing in certain waters, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 32 the following new section:

33. *Ice Fishing.* Amend chapter 155 of the Laws of 1935 by inserting after section 5-a, as inserted by chapter 14 of the Laws of 1937, the following new section: 5-b. *Newfound Lake.* Newfound Lake is closed to fishing through the ice except during the month of January.

Further amend said bill by renumbering section 33 to read section 34.

The question being on the amendments offered by the committee.

Mr. Goodwin of Bethlehem moved that the bill with amendments pending be indefinitely postponed.

(Discussion ensued)

Mr. Goodwin of Bethlehem spoke for the motion.

Mr. Adams of Seabrook spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendments offered by the committee.

On a *viva voce* vote the amendments were adopted.

Mr. Davis of Ashland offered the following amendment:

Amend said bill by inserting after section 15 the following new section:

15-a. *Navigable Waters.* Amend section 6 of chapter 200 of the Public Laws, as inserted by section 4, chapter 124, Laws of 1935, by inserting after the word "occupant" in the third line the words, except upon land covered by a stream navigable by a boat, so that said section as amended shall read as follows: 6. *Setting Traps.* No person shall set or arrange any trap upon any land of which he is not the owner or occupant, except upon land covered by a stream navigable by a boat, until he shall have secured from the owner or occupant a permit in writing signed by said owner or occupant, and until he shall have filed with the director a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passage way by human beings or domestic animals.

The question being on the amendment offered by Mr. Davis of Ashland.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

SPECIAL ORDER

House Bill No. 494, An act in relation to the Keene shops of the Boston and Maine Railroad.

The question being,

On the motion to substitute the report of the minority.

"Inexpedient to legislate," for the report of the majority, "Ought to pass."

(Discussion ensued)

Mr. Callahan spoke for the motion.

Messrs. Graves of Keene and Park of Keene spoke against the motion.

Mr. Cummings of Peterborough moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the negative prevailed.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS—121

ROCKINGHAM COUNTY: Dagan, Havican, Tenney, Fecteau, Palmer of Kensington, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Kittredge, Gile, Drowne.

STRAFFORD COUNTY: Henderson of Dover, McCooey, Chabot, Lucas, McDonough, Durnin, Dustin, Bergeron.

BELKNAP COUNTY: Edgerly, Guay, Helms.

CARROLL COUNTY: Huntress, Wiggin.

MERRIMACK COUNTY: Munroe, Coakley, Rivet, Mansur, Dempsey, Douphinett.

HILLSBOROUGH COUNTY: Lievens, Gage, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Sullivan of Ward 4, Manchester, Clancy, Healy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bolton, Bouthiette, Constant, Donnelly, Walsh, Driscoll, Gaudreault, Van Vliet, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron,

Letendre, Soucy, Janelle, Lariviere, St. Germain, Foster, Duclos, Vigneault, Berube, Marquis, Moran, St. Francois, Lougee, Cormier, Molloy, Noel, Poney.

CHESHIRE COUNTY: Callahan, Duffy, Roche, Woodbury of Sullivan, Dubois of Swanzey.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Hosking, Howe, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Fairbanks, Cram.

GRAFTON COUNTY: Goodwin, Graham, Walbridge, Remick of Groton.

COOS COUNTY: Barden, Collette, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Dugas, Brown of Stratford.

NAYS—225

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Merrill of Exeter, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Dondero, Foote, Guay, Pray, Yeaton, Cogan, Badger, Marston, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Durkin, Grimes, Richards, Whitehouse, Longley, Jenkins, Colby, Berry, Cartier, Dickinson of Rochester, Seavey, Lagueux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Little, Adams of Belmont, White, Hunt, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Newell, Sanders, Smith of New Hampton, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Stearns of Concord, Boutwell, Butterfield of Concord, Conlon, Nash, Saltmarsh, Tilton of Concord, Brunel of

Concord, Maxham, Sharaf, Ahern, Nutter of Epsom, Carignan, Lemire, Rowe, Johnson of Hooksett, Mitchell, Ball, Merrill of Loudon, Carr, Dupont, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Barnard, Johnson of Manchester, Kimball, Corey, Betley, Chevrette, Lareau, Maker, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Ledoux, Maddox, Wilcox, Bouthillier, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Hemenway, Crane, Granger, Barrett of Troy, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Etsler, Gaffney, Quimby, Brigham, Cummings of Newport, Kelley of Newport, Kempton, Rogers, Osborne.

GRAFTON COUNTY: Davis, Bailey of Bath, Hammond, Pulsifer, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Myler, Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Whitcher.

And the motion to substitute did not prevail.

The question being on the report of the committee that the bill ought to pass.

On a *viva voce* vote the affirmative prevailed.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

Mr. Callahan of Keene moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The bill was ordered to a third reading.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Bill No. 107, (In new draft), An act relating to Public Welfare, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Department of Public Welfare.* There is hereby created a department of public welfare, hereinafter referred to as the department, which shall consist of a board of public welfare, a commissioner of public welfare, and such other officials and employees as may be hereinafter authorized.

2. *Board of Public Welfare.* The board of public welfare, hereinafter referred to as the board, shall consist of five members, not more than three of whom shall be of the same political party, to be appointed by the governor, with the advice and consent of the council, on the basis of recognized interest in and knowledge of the problems of public assistance and public welfare, for a term of five years, except the first board whose members shall be appointed as follows: one for one year, one for two years, one for three

years, one for four years and one for five years. The governor shall designate the chairman.

Members of the board of public welfare shall serve without pay but shall be reimbursed for their actual expenses incurred in the performance of their duties, and no member shall serve more than two consecutive terms. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time for cause.

3. *Duties of the Board.* It shall be the duty of the board to supervise and direct the department that its duties herein defined be effectuated, and to make such rules and regulations, and take action necessary or desirable to carry out the provisions of this act. Such rules and regulations shall be binding upon the counties and towns.

4. *Commissioner.* Said board shall appoint a commissioner of public welfare hereinafter referred to as the commissioner, whose salary shall be four thousand dollars per year. He shall serve during the pleasure of the board.

5. *Duties—Commissioner.* The commissioner shall serve as the executive and administrative officer of the department and shall be responsible for its management. He shall serve as clerk of the board. The commissioner shall appoint such personnel as may be necessary for the efficient performance of the duties prescribed in this act and shall prescribe their duties. Such personnel shall be appointed on a merit basis in accordance with objective standards as approved by the governor and council.

The commissioner shall have the authority to establish such divisions within the department as may be necessary for efficient administration and may allocate and reallocate functions among divisions within the department.

6. *Duties—Department.* Except as otherwise provided by law, the duties of the department with respect to the public assistance and welfare activities of the state shall be

as hereinafter prescribed, for which funds appropriated for the general purposes of this act may be expended:

I. *General.* Develop plans to provide assistance to needy aged, blind, deaf, tuberculous persons and dependent children; administer or supervise the administration of these activities, the activities of the state's veterans service officer, child welfare services, social service index and other activities hereinafter mentioned.

II. *Child Welfare Service.* Develop and administer state responsibilities for child welfare; supervise the administration of the same by county and town officials, and may administer directly such child welfare activities. Child welfare activities shall include: protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent; co-operation with state and other institutions for children, including investigation and follow up services; services and care of children in foster homes; and all other child welfare activities authorized by law. Provided, however, that nothing in this act shall be construed as authorizing any public official, agent, or representative, in carrying out any of the provisions of this act, to take charge of any child over the objection of either of the parents of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.

III. *Institutional Supervision.* Inspect all public and supervise and license all private institutions and private boarding homes providing assistance, care or other direct services to children who are neglected, delinquent, defective or dependent, as well as to the aged, blind, feeble-minded and other dependent persons.

IV. *Blind.* Develop or co-operate with other agencies in providing services to the blind, including the locating of blind persons, medical service for eye conditions, vocational guidance and training of the blind, placement of blind persons in employment, instruction of the adult blind in their

homes, other services to blind persons, and a program for the prevention of blindness.

In connection with assistance to needy blind persons the department shall give due consideration to the special needs associated with the condition of blindness and shall: (a) promulgate rules and regulations stating in terms of ophthalmic measurements the amount of visual acuity which an applicant may have and be eligible for assistance; (b) establish the procedure for securing competent medical examinations; (c) designate or approve a suitable number of ophthalmologists or physicians skilled in diseases of the human eye, who must be duly licensed to practice medicine and actively engaged in the treatment of such diseases, to examine applicants and recipients of aid; (d) fix the fees to be paid for medical examination from funds available to the department.

V. *Medical Care.* In co-operation with state health authorities and county and local officials, develop and administer a plan for providing medical or other remedial care.

VI. *Co-operation—State, Local.* Co-operate with other departments, agencies and institutions, both state and local, in performing services in conformity with the purposes of this act.

VII. *Co-operation—Federal.* Co-operate with the federal government in carrying out the purposes of the Federal Social Security Act, and in other matters of mutual concern pertaining to public welfare, child welfare services and public assistance, including the adoption, so far as is consistent with the provisions hereof, of such methods of administration as are found by the Federal Government to be necessary for the efficient operation of the plan for such public assistance and welfare services.

VIII. *Reports—Federal.* Make such reports, in such form and containing such information, as the federal government may from time to time require, and comply with such provisions as the federal government may from time

to time find necessary to assure the correctness and verification of such reports.

IX. *Transients.* Have the authority to enter into reciprocal agreements with public welfare agencies in other states relative to the provision of relief or assistance to transients and non-residents, and co-operate with other state departments and with the federal government in studying labor, health, and public assistance problems involved in transiency.

X. *Research.* Carry on research and compile statistics relative to public welfare throughout the state including dependency, delinquency, physical or mental incapacity, and related problems; and develop plans in co-operation with other public and private agencies for the prevention as well as treatment of conditions giving rise to public welfare problems.

XI. *Personnel Standards.* Based upon the number of applicants and recipients in the localities, the board shall determine the number of employees necessary for the administration of old age assistance, aid to dependent children, and aid to the blind in all administrative units, state, county and town, shall set up objective personnel standards in terms of education, training, and experience for such employees, which standards shall be the basis for selection and appointment of personnel and the board shall make rules and regulations necessary to maintain such standards.

7. *Commissioner, Probation Duties.* If appointed by a court of competent jurisdiction, the commissioner shall perform, under the supervision of such court, the function of probation officer or agent of the court in any welfare matters which may be before the court.

8. *Assistance, Extraordinary.* In any county or town where there is failure to provide the public assistance and public welfare services to which individuals are entitled under the provisions of this act, the department shall provide the same and shall charge the cost thereof to those legally responsible.

9. *Liability for Support; Recovery.* Assistance rendered hereunder to anyone having in the state a father, mother, stepfather, stepmother, son or daughter whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action of debt by the department in the name of the state, from either a father, mother, stepfather, stepmother, son or daughter who are declared jointly and severally liable for such assistance. Such action shall be brought by the attorney general or the solicitor for the county in which anyone liable resides when so requested by the commissioner. Anyone against whom an order is entered requiring a person to contribute to the support of a relative who fails to comply therewith shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

10. *Eligibility for Assistance.* Public assistance shall be granted under this act to any eligible person as defined in section 12 who has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health; who has not made an assignment or transfer of property for the purpose of rendering himself eligible for such assistance at any time within two years immediately prior to the filing of his application for assistance; and who is not an inmate of any public institution at the time of receiving assistance. An inmate of such an institution, however, may make application for such assistance but the assistance if granted shall not begin until after he ceases to be an inmate.

11. *Designations.* Assistance granted to aged persons shall be designated as aid to the aged; assistance granted to the needy blind shall be designated as aid to the needy blind; assistance granted to dependent children shall be designated as aid to dependent children; assistance to tuberculous persons shall be designated as aid to tuberculous persons; assistance granted in these groups shall be in the form of money payments to or with respect to needy individuals and

such separate records and accounts shall be kept and other requirements met as are necessary to qualify for grants-in-aid from the federal government.

12. *Definitions.* (a) For the purposes hereof a person shall be eligible for aid to the aged who is seventy years of age or over. (b) For the purposes hereof a person shall be eligible for aid to the needy blind who has no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential. No person shall be eligible to receive such aid while receiving aid to the aged. (c) For the purposes hereof a person shall be eligible for aid to dependent children who is a needy child under the age of sixteen who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home.

13. *Amount of Assistance.* The commissioner shall determine the amount of assistance which any person shall receive hereunder. The commissioner shall, however, in appropriate cases, first consult with the proper officials of counties or towns hereby required to contribute to the cost thereof. In any case due regard shall be given to the resources, necessary expenditures in each case, the conditions existing in each case and the rules and regulations made by the department, and said assistance shall be sufficient, when added to all other income and support of the case, to provide such person with a reasonable subsistence compatible with decency and health.

14. *Application for Assistance.* Application for assistance under this act shall be made in the first instance to the commissioner or his duly authorized agent. The application shall be in writing and upon a form prescribed by the department. Except in cases of emergency no aid shall be

granted until completion of the investigation herein required.

15. *Investigation.* Whenever an application for assistance under this act is received, an investigation and record shall promptly be made of the circumstances of the applicant in order to ascertain the facts supporting the application, and in order to obtain such other information as may be required by the rules of the department. The investigation shall include a visit to the home of the applicant.

16. *Granting of Assistance.* Upon the completion of the investigation the commissioner shall decide whether the applicant is eligible for assistance under the provisions of this act and shall determine in accordance with the rules and regulations of the department the amount of such assistance and the date upon which assistance shall begin. The commissioner shall, however, in proper cases, first consult with the proper officials of counties or towns hereby required to contribute to the cost thereof. The commissioner shall notify the applicant of his decision.

17. *Funeral Expenses.* On the death of the recipient reasonable funeral expenses may be paid subject to the rules and regulations of the department, if the estate of the deceased is insufficient to pay the same.

18. *Appeal to the Board of Public Welfare.* If an application for assistance is not acted upon within a reasonable time after the filing of the application, or is denied in whole or in part, or an award of assistance is modified or cancelled under any provision of this act, the applicant or recipient may appeal to the board of public welfare in the manner and form prescribed by it. The board, upon its own motion, or upon receipt of an appeal, shall give the applicant or recipient reasonable notice and opportunity for a fair hearing.

19. *Recovery.* If at any time during the continuance of assistance the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount stated in the application, it shall be the duty of the recipient immediately to notify the

commissioner of the receipt or possession of such property or income. On the death of a recipient of old age assistance, the total amount of assistance paid under this act shall be allowed as a claim against the estate of such person after reasonable funeral expenses and the expenses of administering the estate have been paid. No claim shall be imposed against the real estate of a recipient of old age assistance while it is occupied as a home by a surviving spouse, or against any personal property of less than one hundred dollars in value.

The federal government shall be entitled, as long as required as a condition to federal financial participation, to not more than one-half of the net amount collected from the estate of a recipient of old age assistance.

20. *Fraudulent Acts.* Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain assistance, to which he is not entitled, shall be fined not more than two hundred dollars or be imprisoned not more than three months, or both.

21. *Financial Procedure.* Each county shall each month, on a date specified by the department, submit a statement of an estimate of expenditures to be made under this act for the following month. The department may change or disallow any such sums as it has reason to believe have been improperly requested. The department shall have authority to establish procedures for handling any necessary emergency disbursements.

22. *Audits of Accounts.* No state grants or reimbursements shall be made to any county for assistance under the provisions hereof until the bills or accounts showing the expenditures for such assistance by said county have been submitted to or approved by the commissioner, provided that grants and reimbursements may be made on the basis of estimates of requirements, but such grants shall be subject to subsequent audit and adjustment.

23. *Public Assistance Fund Created.* There is hereby established in the state treasury a public assistance fund

which shall consist of all funds made available for the purposes of this act by the federal government or the state. Within this fund there shall be established the following separate accounts: Aid to the Aged; Blind Assistance and Service; Aid to Dependent Children; Child Welfare Services; Aid to Tuberculous Persons; Assistance to the Deaf; Administration and Service.

The commissioner, with the approval of the governor and council, may make transfers of state funds between accounts within the fund. Moneys shall be disbursed from this fund upon authorization of the commissioner for the purposes of this act. (1) All moneys advanced to or otherwise placed at the disposal of the state by the federal government and accepted by the state under the provisions hereof, (2) all moneys received from counties or towns pursuant to the provisions hereof, (3) the sums appropriated for welfare and relief under the two acts making appropriations for the state for the years ending June 30, 1938, and June 30, 1939, and (4) the moneys heretofore or hereinafter appropriated to carry out the provisions of this act shall be kept by the state treasurer in said public assistance fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this act and other purposes of the board authorized by law.

24. *Appropriations.* For each of the fiscal years ending June 30, 1938, and June 30, 1939, the sum of three hundred and fifty thousand dollars ($350,000) is hereby appropriated payable out of any funds in the treasury not otherwise appropriated.

25. *Equalization.* Should a county or town find that it is impossible to pay the amounts required hereunder, it may file a petition with the department, requesting financial aid. The department shall cause an investigation to be made of all pertinent factors relating to the financial circumstances of the petitioning county or town. The department may, with the approval of the governor and council, loan or grant to the county or town such amount as may be necessary.

26. *Agencies Abolished.* The state board of welfare and relief, established by chapter 20, Laws of 1935, and the state board of public welfare, established by chapter 108, Public Laws, as amended by chapter 177, Laws of 1929, are hereby abolished and all properties and records of such boards shall be transferred immediately to the department herein created. Any balance of funds or appropriation heretofore made available to the state board of welfare and relief under chapter 20, Laws of 1935, or any other act, shall be available to the department. Any provision of law not expressly repealed hereby referring to the state board of public welfare or the state board of welfare and relief shall be construed as referring to the department of public welfare.

27. *State Veterans' Service Officer.* The commissioner shall, with the approval of the governor and council, appoint and fix the salary of a state veterans' service officer, who shall be an honorably discharged veteran of a war in which the United States was engaged. He shall serve during the pleasure of the commissioner. The duties of the state veterans' service officer shall be to assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations, and such other duties as may be delegated to him by the commissioner.

28. *Voting Rights Not Affected.* While federal funds are available the receipt of public assistance granted under the provisions hereof shall not make the recipient thereof, or any member of his family, a pauper within the terms of the election laws of this state, nor affect his or their civil or political status in any way.

29. *Aid to the Aged.* Amend section 7 of chapter 127 of the Laws of 1935 by striking out said section and inserting in place thereof the following: 7. *Reimbursement.* Provided a county shall have conformed in the course of its administration with all appropriate orders, rules and regulations of the department, the state shall reimburse such coun-

ty to the extent of twenty-five per cent of the amount expended for assistance which has been granted under the provisions of this act and the act relative to the department of public welfare to each aged person eligible to receive such assistance from such county. The board is hereby authorized to disburse to counties any funds received from the United States government for old age assistance. Each county shall pay to each town in said county that amount of the state and federal money received by said county on account of assistance paid to aged persons in said town for which said town is chargeable.

30. *County Payments.* Amend section 23 of chapter 127 of the Laws of 1935 by striking out all after the word "county" in the third line so that said section as amended shall read as follows: 23. *Expenses.* All necessary expenses incurred by county commissioners in carrying out the provisions of this act shall be paid by the county.

31. *Transfer of Funds.* The state treasurer is hereby authorized to transfer the sum of seven hundred and fifty thousand dollars ($750,000) for the fiscal year ending June 30, 1938, and a like sum for the fiscal year ending June 30, 1939, from the sinking fund established by chapter 126 of the Laws of 1931 to the general funds of the state to be used for general expenditures of the state. Said sums shall be so transferred before the end of each fiscal year.

32. *Assignability of Assistance.* All assistance given hereunder shall be inalienable by any assignment or transfer and shall be exempt from levy or execution under the laws of this state. 33. *Amendment.* Amend section 19 of chapter 378 of the Public Laws by striking out said section and inserting in place thereof the following: 19. *Giving Liquor to One Receiving Assistance, Etc.* No person shall give or otherwise furnish to a person receiving public assistance or to a person committed to a house of correction any spirituous liquor, except by permission of the keeper thereof; nor to a spendthrift or idle person under guardianship, except by permission of his guardian, nor to any minor.

34. *Repeal.* The following laws are hereby repealed: (1) Sections 1 to 6, inclusive, and section 8 of chapter 108 of the Public Laws, as amended by chapter 177, Laws of 1929 and chapter 148 of the Laws of 1929, section 13 of said chapter 108, as inserted by chapter 145, Laws of 1929, and amended by chapter 122, Laws of 1935, sections 14 and 14-a of said chapter 108 as inserted by chapter 145 of the Laws of 1929 and chapter 106 of the Laws of 1931, as amended by chapter 122, Laws of 1935, and sections 16, 17 and 18 of said chapter 108 as inserted by chapter 103, Laws of 1935: (2) section 4 of chapter 109 of the Public Laws; (3) chapter 91 of the Laws of 1931 and chapter 79 of the Laws of 1933, relative to interstate transportation of poor and indigent persons; (4) sections 2, 3, 4, 9, 10, 14, 16 and 24 of chapter 127 of the Laws of 1935, relative to aid to the aged; (5) sections 9 to 17, inclusive, of chapter 115 of the Public Laws, as amended by chapter 137 of the Laws of 1935, relative to county aid to the blind; and (6) sections 2 to 6, inclusive, of chapter 106 of the Public Laws, relative to binding out of children.

35. *Extension of Act.* Amend section 24 of chapter 20 of the Laws of 1935, as amended by chapters 146 and 177 of the Laws of 1937, by striking out the same and inserting in place thereof the following: 24. *Duration of Act.* The provisions of this act shall terminate August 31, 1937.

36. *Takes Effect.* This act shall take effect September 1, 1937 except section 35, which shall take effect upon the passage of this act.

On motion of Mr. Sanderson of Pittsfield, the reading of the amendment was dispensed with.

Mr. Sanderson explained the amendment.

The question being on the amendment.

(Discussion ensued)

Mr. Sanderson spoke in favor of the motion.

Mr. Molloy of Nashua moved that the amendments offered by the Appropriation Committee to Senate Bill No. 107 be indefinitely postponed.

The question being on the motion of Mr. Molloy of Nashua.

(Discussion ensued)

Messrs. Molloy of Nashua, Dickinson of Danville, Etsler of Claremont, Ahern of Concord, Tilton of Ward 4, Laconia, Grimes of Dover and Mrs. Brungot of Berlin spoke in favor of the motion.

(Mr. Cummings of Peterborough in Chair.)

Messrs. Perley of Lebanon, Seavey of Rochester, Pillsbury of Derry, Johnson of Hooksett, Sanborn of Wakefield and Hunter of Hanover spoke against the motion.

(Speaker in the Chair.)

On a *viva voce* vote the negative prevailed.

Mr. Dickinson of Danville demanded the yeas and nays and the roll was called with the following result:

YEAS—128

ROCKINGHAM COUNTY: Dagan, Dickinson of Danville, Dondero, Foote, Gray, Yeaton, Cogan, Badger, Rose, Marston, Drowne.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Grimes, Caswell, Durnin, Lagueux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Guay, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia.

CARROLL COUNTY: Banfield.

MERRIMACK COUNTY: Courtemanche, Rivet, Stearns of Concord, Boutwell, Mansur, Butterfield of Concord, Conlon, Saltmarsh, Tilton of Concord, Brunel of Concord, Maxham, Sharaf, Ahern, Donovan, Carrignan, Lemire, Dempsey, Douphinett.

HILLSBOROUGH COUNTY: Gage, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy,

O'Brien, Sweeney of Ward 5, Manchester, Connelly, Arthur, J. Ward 6, Manchester, Connolly, Paul J. Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bouthiette, Chevrette, Constant, Donnelly, Walsh, Driscoll, Lareau, Gaudreault, Van Vliet, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Janelle, Lariviere, St. Germain, Maker, Wadleigh, Atherton, Cooper, Winslow, of Nashua, Armington, Duclos, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Molloy, Noel, Wilcox, Bouthillier, Poney.

CHESHIRE COUNTY: Callahan, Duffy, Dubois of Swanzey, Barrett of Troy.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Etsler, Kelley of Newport.

GRAFTON COUNTY: Jones of Lebanon, Hildebrand.

COOS COUNTY: Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler.

NAYS—212

ROCKINGHAM COUNTY: Tuttle of Atkinson, Shaw, Tenney, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Fecteau, Tozier, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Fernald, Palmer of Plaistow, Barrett of Portsmouth, Kittredge, Pray, Gile, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Hayes of Dover, Henderson of Dover, Durkin, Garland, Lucas, McDonough, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Colby, Berry, Dustin, Cartier, Bergeron, Dickinson of Rochester, Seavey ,Varney, Nutter of Rollinsford.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, O'Shan, Tarlson, Tilton of Ward 3,

Laconia, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Huntress, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Coakley, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Merrill of Loudon, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Daniels, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Booth, Foster, James, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney, Cheever.

CHESHIRE COUNTYS Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Spaulding, Hemenway, Woodbury of Sullivan, Crane, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Gaffney, Hosking, Howe, Putnam of Claremont, Quimby, Sheehan, Thomas, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kempton, Rogers, Osborne, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Hunter, Lanyon, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Sliney, Collins, Hamilton, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

Coos COUNTY: Barden, Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of

Errol, Chandler of Gorham, Willis, Parker, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

Mr. Havican of Brentwood voting "No" paired with Mr. Sturtevant of Concord voting "Yes."

Mr. Beede of Fremont voting "No" paired with Mr. Nash of Concord voting "Yes."

Mr. Canty of Portsmouth voting "Yes" paired with Mr. Danforth of Acworth voting "No."

Mr. Chase of Manchester voting "No" paired with Mr. Bolton of Manchester voting "Yes."

Mr. Roche of Keene voting "Yes" paired with Mr. Rice of Rindge voting "No."

And the motion did not prevail.

Mr. McDonough of Dover moved that the bill with amendments pending be laid upon the table and made a special order for Tuesday, August 17 at 11:01 o'clock.

The question being on the motion of Mr. McDonough of Dover.

(Discussion ensued)

Messrs. McDonough of Dover and Molloy of Nashua spoke in favor of the motion.

On a *viva voce* vote the negative prevailed.

Mr. Jones, of Lebanon, asked for a division.

A division being had 143 members voted in the affirmative and 165 members voted in the negative and the motion did not prevail.

Mr. McDonough of Dover demanded the yeas and nays and the roll was called with the following result:

YEAS, 149

ROCKINGHAM COUNTY: Dagan, Dickinson of Danville, Tozier, Knowles, Dondero, Foote, Gray, Pray, Yeaton, Cogan, Badger, Rose, Marston, Drowne, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Durkin, Grimes, Caswell, McDonough, Durnin, Caldwell, Whitehouse, Colby, Berry, Dustin, Bergeron, Nutter of Rollinsford, Lagueux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Adams of Belmont, O'Shan, Tarlson, Guay, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia.

CARROLL COUNTY: Huntress, Banfield.

MERRIMACK COUNTY: Courtemanche, Rivet, Stearns of Concord, Mansur, Conlon, Saltmarsh, Tilton of Concord, Maxham, Sharaf, Ahern, Donovan, Carignan, Lemire, Dempsey, Douphinett, Mitchell.

HILLSBOROUGH COUNTY: Putnam of Antrim, Reynolds, Gage, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, O'Brien, Sweeney of Ward 5, Manchester, Connelly, Arthur J. Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Chevrette, Donnelly, Walsh, Driscoll, Lareau, Gaudreault, VanVliet, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, Janelle, Lariviere, St. Germain, Maker, Foster, Wadleigh, Atherton, Cooper, Winslow of Nashua, Armington, Berube, Moran, St. Francois, Ledoux, Lougee, Maddox, Molloy, Noel, Wilcox, Routhillier, Cheever.

CHESHIRE COUNTY: Callahan, Duffy, Roche, Dubois of Swanzey, Barrett of Troy, King.

SULLIVAN COUNTY: Daly, Etsler, Kelly of Newport.

GRAFTON COUNTY: Davis, Bailey of Bath, Goodwin, Jones of Lebanon, Merrill of Plymouth.

COOS COUNTY: Barden, Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd,

Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Whitcher.

NAYS—179

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Hepworth, Pillsbury, Merrill of Exeter, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Palmer of Plaistow, Barrett of Portsmouth, Kittredge, Gile, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Henderson of Dover, Blanchard, Richards, Longley, Jenkins, Cartier, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, White, Hunt, Edgerly, Tilton of Ward 3, Laconia, Sanders, Smith of New Hampton, Helms, O'Shea.

CARROLL COUNTY: Russell, Churchill, Day, Downs, Mudgett, Quint, Head, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Coakley, Boutwell, Brunel of Concord, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Ball, Merrill of Loudon, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Clark of Bedford, Avery, Pattee, Charois, Stearns of Hancock, Boynton, Cole, Lievens, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Barnard, Johnson of Manchester, Booth, James, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tuttle of Temple, Tierney.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Hemenway, Woodbury of Sullivan, Crane, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Chandler of Claremont, Gaffney, Hosking, Howe, Putnam

of Claremont, Quimby, Sheehan, Thomas, Johnson of Cornish, Brigham, Cummings of Newport, Fairbanks, Kempton, Rogers, Osborne, Cram.

GRAFTON COUNTY: Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Smith of Haverhill, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Taylor, Houston, Dreghorn, Sawyer of Woodstock.

COOS COUNTY: Seymour, Felton, Dickson of Colebrook, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller.

And the motion did not prevail.

Mr. Saltmarsh of Concord moved that the bill with amendments pending be laid upon the table and made a special order for Thursday, August 12, at 11:01 o'clock.

The Speaker ruled the motion out of order.

Mr. McDonough of Dover appealed from the decision of the Speaker.

On a *viva voce* vote the decision of the Speaker was sustained.

Mr. Callahan of Keene offered the following amendment:

Amend subsection (a) of section 12 by striking out in line two the word "seventy" and inserting in place thereof the word sixty-five so that said subsection shall read as follows:

(a) For the purposes hereof a person shall be eligible for aid to the aged who is sixty-five years of age or over.

The question being on the amendment.

(Discussion ensued)

Mr. Callahan of Keene spoke in favor of the amendment.

Mr. Cummings of Peterborough moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Callahan of Keene.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS—144

ROCKINGHAM COUNTY: Dagan, Tenney, Dickinson of Danville, Dondero, Foote, Gray, Yeaton, Cogan, Badger, Rose, Drowne, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Henderson of Dover, McCooey, Chabot, Grimes, Caswell, McDonough, Durnin, Richards, Caldwell, Whitehouse, Colby, Cartier, Lagueux, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Edgerly, O'Shan, Guay, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia, Smith of New Hampton.

CARROLL COUNTY: Huntress.

MERRIMACK COUNTY: Stearns of Concord, Saltmarsh, Tilton of Concord, Maxham, Ahern, Donovan, Carignan, Lemire, Dempsey, Douphinett, Merrill of Loudon, Carr.

HILLSBOROUGH COUNTY: Charois, Smith of Hudson, Gage, Johnson of Manchester, Kimball, Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Corey, Sullivan of Ward 4, Manchester, Betley, Clancy, Healy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Bolton, Chevrette, Donnelly, Walsh, Driscoll, Hayes of Manchester, Lareau, Gaudreault, Van Vliet, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Janelle, Lariviere, St. Germain, Foster, Wadleigh, Cooper, Berube, Marquis, Moran, Ledoux, Lougee, Maddox, Cormier, Molloy, Wilcox, Bouthillier, Corliss, Thompson of New Ipswich.

CHESHIRE COUNTY: Callahan, Olson, Gates, Duffy, Roche, Dubois of Swanzey.

SULLIVAN COUNTY: Daly, Etsler, Quimby, Cummings of Newport, Kelly of Newport, Kempton.

GRAFTON COUNTY: Davis, Goodwin, Hammond, Remick of Bristol, Remick of Groton, Jones of Lebanon, Hildebrand, Howard.

COOS COUNTY: Barden, Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Parker, Whitcher.

NAYS—143

ROCKINGHAM COUNTY: Tuttle of Atkinson, Fogg of Deerfield, Burbank of Derry, Hepworth, Pillsbury, Merrill of Exeter, Tozier, Beede, Syphers, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Gile, Marston, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Blanchard, Longley, Jenkins, Bergeron, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Tilton of Ward 3, Laconia, Sanders, Helms.

CARROLL COUNTY: Russell, Day, Downs, Mudgett, Head, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Boutwell, Mansur, Brunel of Concord, Nutter of Epsom, Rowe, Fowler, Johnson of Hooksett, Mitchell, Ball, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Pattee, Stearns of Hancock, Cole, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Barnard, James, Winslow of Nashua, St. Francois, Noel, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Jones of Keene,

Park, Hilton, Hemenway, Woodbury of Sullivan, King, Relihan, Britton, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Gaffney, Hosking, Howe, Putnam of Claremont, Sheehan, Thomas, Johnson of Cornish, Brigham, Fairbanks, Rogers, Osborne, Cram.

GRAFTON COUNTY: Bailey of Bath, Pulsifer, Graham, Walbridge, Hunter, Tuxbury, Smith of Haverhill, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Sliney, Collins, Hamilton, Soper, Bailey of Lyme, Jones of Monroe, Bell, Merrill of Plymouth, Taylor, Dreghorn, Sawyer of Woodstock.

COOS COUNTY: Seymour, Ramsay of Colebrook, Jordan of Errol, Chandler of Gorham, Willis, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller.

And the amendment was adopted.

Mr. Molloy of Nashua offered the following amendment:

Amend said bill by adding a new subsection to read as follows:

1-a. All officials and employees employed under this bill shall be citizens of the United States.

The question being on the amendment.

(Discussion ensued)

Mr. Molloy of Nashua spoke in favor of the amendment.

Mr. McDonough of Dover offered the following amendment to the amendment:

"And also citizens of the State of New Hampshire."

The question being on the amendment offered by Mr. McDonough of Dover.

(Discussion ensued)

Mr. McDonough of Dover spoke in favor of the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was adopted.

The question being on the amendment offered by Mr. Molloy of Nashua.

On a *viva voce* vote the amendment was adopted.

Mr. Dickinson of Danville offered the following amendment:

Amend section 29 (of Senate Bill No. 107, Amendments Proposed by Appropriations Committee), by striking out in line six the word "twenty-five" and inserting in place thereof the word fifty so that said section as amended shall read as follows:

29. *Aid to the Aged.* Amend section 7 of chapter 127 of the Laws of 1935 by striking out said section and inserting in place thereof the following: 7. *Reimbursement.* Provided a county shall have conformed in the course of its administration with all appropriate orders, rules and regulations of the department, the state shall reimburse each county to the extent of fifty per cent of the amount expended for assistance which has been granted under the provisions of this act and the act relative to the department of public welfare to each aged person eligible to receive such assistance from such county. The board is hereby authorized to disburse to counties any funds received from the United States government for old age assistance. Each county shall pay to each town in said county that amount of the state and federal money received by said county on account of assistance paid to aged persons in said town for which said town is chargeable.

The question being on the amendment.

(Discussion ensued)

Mr. Dickinson of Danville spoke in favor of the amendment.

Mr. Sanderson of Pittsfield spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Etsler of Claremont moved that the House adjourn from the morning session.

On a *viva voce* vote the motion was adopted and the bill with the amendments went into unfinished business.

The House was immediately called to order in afternoon session.

AFTERNOON

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 457 (in Senate new draft and new title), An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides and special provisions relative to fishing in certain waters.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 494, An act in relation to the Keene shops of the Boston & Maine Railroads.

Read a third time.

The question being,

Shall the bill pass?

Mr. Roche of Keene moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Roche of Keene.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS, 72

ROCKINGHAM COUNTY: Havican, Dickinson of Danville, Fecteau, Tozier, Palmer of Kensington .

STRAFFORD COUNTY: Henderson of Dover, McCooey, McDonough, Durnin. Bergeron.

BELKNAP COUNTY: Guay, Dickson of Laconia.

CARROLL COUNTY: Day, Huntress.

MERRIMACK COUNTY: Carignan, Lemire, Douphinett, Johnson of Hooksett.

HILLSBOROUGH COUNTY: Lievens, Gage. Woodbury of Manchester, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Sullivan of Ward 4. Manchester, Betley, Clancy, Healy, O'Brien, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J. of Ward 6, Manchester, Connolly, Paul J. of Ward 6, Manchester, Fox, Sullivan of Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Hanley, Horan, Donnelly, Walsh, Driscoll, Hayes, of Manchester, Gaudreaut, VanVliet, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Berube, Marquis, St. Francois, Lougee, Cormier, Molloy.

CHESHIRE COUNTY: Callahan, Duffy, Roche, Woodbury of Sullivan, Dubois of Swanzey.

SULLIVAN COUNTY: Daly.

GRAFTON COUNTY: Goodwin.

COOS COUNTY: Barden, Collette, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Fuller.

NAYS, 183

ROCKINGHAM COUNTY: Fogg of Deerfield, Burbank of Derry, Merrill of Exeter, Beede, Perkins of Hampton, Stevens, Nesmith, Pridham, Knowles, Palmer of Plaistow, Dondero, Foote, Gray, Yeaton, Cogan, Badger, Gile, Adams of Seabrook, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, Grimes, Caswell, Richards, Caldwell, Longley, Jenkins, Berry, Dickinson of Rochester, Seavey, Lagueux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerly, Tilton of Ward 3, Laconia, Tilton

of Ward 4, Laconia, Cantin, Sanders, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Downs, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Sanborn, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Rivet, Stearns of Concord, Boutwell, Conlon, Nash, Saltmarsh, Brunel of Concord, Maxham, Ahern, Donovan, Nutter of Epsom, Rowe, Ball, Merrill of Loudon, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Avery, Pattee, Charois, Stearns of Hancock, Cole, Abbott of Hudson, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Barnard, Johnson of Manchester, Kimball, Corey. Chevrette, Lareau, Maker, Foster, Wadleigh, Cooper, Winslow of Nashua, Ledoux, Maddox, Wilcox, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Olson, Jones of Keene, Park, Gates, Hilton, Hemenway, Crane, Britton, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Etsler, Gaffney, Hosking, Putnam of Claremont, Sheehan, Thomas, Brigham, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Osborne, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Hammond, Pulsifer, Walbridge, Remick of Groton, Hunter, Tuxbury, Bailey of Haverhill, Titus, Perley, French, Hoyt of Lebanon. Jones of Lebanon, Collins, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Howard, Bell, Taylor, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Mason, Studd, Brungot, Ramsey of Berlin, Snodgrass, Bixby, Dugas, Myler, Seymour, Ramsay of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Whitcher.

And the motion did not prevail.

The bill passed and was sent to the Senate for concurrence.

On motion of Mr. Callahan of Keene at 6:35 o'clock the House adjourned.

WEDNESDAY, AUGUST 11, 1937.

The House met at 11:00 o'clock.

(Mrs. Dondero of Portsmouth in the Chair)

The Speaker appointed the member from Portsmouth to act as Speaker during prayer.

Prayer was offered by the Chaplain.

(The Speaker in the Chair)

LEAVES OF ABSENCE

Mr. Hoyt of Laconia was granted leave of absence for the day on account of illness.

RESOLUTION

Mr. Cummings of Peterborough offered the following resolution:

Resolved, That on and after this day to the close of the present session of the Legislature all speeches in the House of Representatives be limited to ten minutes; and

Be it Further Resolved, That the Speaker enforce this rule.

The question being on the resolution.

(Discussion ensued)

Messrs. Cummings of Peterborough, Danforth of Acworth, and Perley of Lebanon spoke in favor of the resolution.

Messrs. Callahan of Keene, McDonough of Dover,

Molloy of Nashua, and Dickinson of Danville spoke against the resolution.

Mr. Jones of Lebanon moved to amend the resolution by striking out the word and figure "10 minutes" and inserting in place thereof the word and figure "1 hour."

On a *viva voce* vote the amendment to the resolution was not adopted.

Mr. McDonough of Dover desired to be recorded as voting against the amendment.

The question being on the resolution.

(Discussion ensued)

Mr. Dickinson of Rochester spoke in favor of the resolution.

On a *viva voce* vote the resolution did not prevail.

Mr. Cummings of Peterborough asked for a division.

A division being taken 118 members voted in the affirmative and 109 members voted in the negative and two-thirds of the members elected not being present and voting and two-thirds of those voting not having voted either in the affirmative or the negative no valid action was taken and the resolution went into unfinished business.

COMMITTEE REPORTS

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 497, An act making a further extension of state funds for the purpose of obtaining federal funds for old age assistance, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time.

On motion of Mr. Etsler of Claremont the rules were further suspended and the printing of the bill and its reference to a committee were dispensed with, and the bill put upon its third reading, by its title, and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

RESOLUTIONS

Mr. McDonough of Dover offered the following resolution:

Resolved, That no further bills be introduced unless the same be to extend the present relief bill now on the statutes.

The question being on the resolution.

(Discussion ensued)

Mr. Ahern of Concord spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Adams of Seabrook offered the following resolution:

Resolved, That Senate Bill No. 139, An act relative to canned lobster be recalled from the Governor.

The question being on the resolution.

(Discussion ensued)

Messrs. Adams of Seabrook and Carpenter of Wolfeboro spoke in favor of the resolution.

Mr. Etsler of Claremont spoke against the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Adams of Seabrook offered the following resolution.

Resolved, That the vote whereby the House passed Senate Bill No. 139, An act relative to canned lobster be reconsidered.

On a *viva voce* vote the resolution was adopted.

Mr. Adams of Seabrook offered the following resolution.

Resolved, That Senate Bill No. 139, An act relative to

canned lobster be put back on its second reading and committee to the Committee on Fisheries and Game.

On a *viva voce* vote the resolution was adopted.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 498, An act relating to summer registration of motor vehicles, with the recommendation that the bill be referred to the Committee on Ways and Means.

Read a first and second time.

Mr. Hart of Wolfeboro moved that the rules be suspended, the printing of the bill and its reference to a committee be dispensed with, the bill be put upon its third reading by its title, and final passage at the present time.

The question being on the motion of Mr. Hart of Wolfeboro.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Ahern of Concord for the Committee on Rules, having reported the following joint resolution, House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 207 (in second new draft and new title),

An act relating to the construction of jetties at the entrance of Rye Harbor in the town of Rye.

The message further announced the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the federal constitution by the state of New Hampshire.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 127, Joint resolution for the purchase and installation of a vault in the office of the State Treasurer.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 11, Joint resolution relating to buoys in Lake Winnisquam.

Read a first and second time and referred to the Committee on Appropriations.

UNFINISHED BUSINESS

Mr. Sanderson of Pittsfield called for unfinished business.

Mr. McDonough of Dover moved that the House take a recess until two o'clock.

On a *viva voce* vote the affirmative prevailed.

Mr. Sanderson of Pittsfield asked for a division.

A division being had 91 members voted in the affirmative and 99 members voted in the negative and there being no quorum present at 1:05 o'clock the House adjourned.

THURSDAY, AUGUST 12, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

WEEK END RESOLUTION

On motion of Miss Myler of Berlin,

Resolved, that when the House adjourns this morning it be to meet Friday morning at 9 o'clock, and that when it then adjourns it adjourn to meet Monday evening at 6 o'clock.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 495, An act providing for a Constitutional Convention.

The message further announced that the Senate had voted to concur with the House of Representatves in its amendments to the following entitled bill:

House Bill No. 457 (In Senate New Draft and New Title), An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides and provisions relative to fishing in certain waters.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

The message further announced that the Senate had passed a bill with the following title, in the passage of

which it asked the concurrence of the House of Representatives:

Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board.

SENATE BILL READ AND REFERRED

Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board.

Read a first and second time and referred to the Committee on Judiciary.

The message further announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

Read a first and second time and referred to the Committee on Public Improvements.

The message also announced that the Senate had passed the following resolution, in the passage of which it asked the concurrence of the House of Representatves:

Resolved, that the Senate request the House of Representatives to authorize the Speaker to appoint a committee of eight members from the House to meet with a committee of five members from the Senate, to be appointed by the President of the Senate, to discuss the problem of public welfare and to report to the legislature at the session on Tuesday, August 17.

On motion of Mr. Cummings of Peterborough the House concurred in the resolution sent down from the Honorable Senate.

COMMITTEE APPOINTMENT

The Speaker appointed as members on such committee on the part of the House Messrs. Seavey of Rochester, Etsler of Claremont, Barnard of Manchester, Jones of Lebanon, Tilton of Ward 4, Laconia, Ahern of Concord, Sanderson of Pittsfield and McDonough of Dover.

On motion of Mr. Havican of Brentwood at 12:00 o'clock the House adjourned.

FRIDAY, AUGUST 13, 1937.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Friday, August 13. 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, AUGUST 16, 1937.

The House met at 6 o'clock.

The following letter was read by the Clerk:

Monday, August 16, 1937.

Mr. George H. Nash,
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige.

Yours respectfully,

OREN V. HENDERSON,

Speaker.

There being no quorum present at 6:01 o'clock the House adjourned.

TUESDAY, AUGUST 17, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Dickson of Laconia was granted leave of absence for Tuesday and Wednesday on account of death in the family.

Mr. Gage of Manchester was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Greer of Manchester was granted leave of absence for the week on account of important business.

Mr. Hoyt of Laconia was granted leave of absence for the week on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock, for the Committee on Engrossed Bills, reported that the committee had examined

and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 495, An act providing for a constitutional convention.

House Bill No. 497, An act making a further extension of state funds in order to obtain federal funds for old age assistance.

House Joint Resolution No. 141, Joint resolution for observance of the adoption of the federal constitution by the state of New Hampshire.

House Bill No. 457, An act relating to the general provisions of the fish and game laws, propagation of fish and game, licenses, registration of guides, and special provisions relative to fishing in certain waters.

House Bill No. 494, An act in relation to the Keene shops of the Boston & Maine Railroad.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following entitled bill, House Bill No. 499, An act excepting certain industries from the operation of the Employers' Liability and Workmen's Compensation Law, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Etsler of Claremont, for the Committee on Rules, reported the following entitled bill, House Bill No. 500, An act relating to the uniforms of the State Police, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 144, Joint resolution in favor of Mount Wash-

ington Observatory, Inc., with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Seavey of Rochester, for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 145, Joint resolution to assist the town of Exeter and the town of Hampton in celebrating the three hundredth anniversary of their settlement, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

RESOLUTION

Mr. Seavey of Rochester offered the following resolution:

Resolved, that the rules be suspended to allow the presentation of a committee report which had not been previously advertised in the Journal.

On a *viva voce* vote the resolution was adopted.

Mr. Seavey of Rochester for the special committee appointed to consider public welfare, reported the following entitled bill, House Bill No. 501, An act relating to public welfare.

The report was accepted.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

RESOLUTION

Mr. Seavey of Rochester offered the following resolution:

Resolved, That the rules be suspended and the reference of the bill to a committee be dispensed with and that the House resolve itself into a Committee of the Whole at

1:30 p. m. today to consider House Bill No. 501, An act relating to public welfare.

On a *viva voce* vote the resolution was adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments, the Senate asked the concurrence of the House of Representatives:

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

Amend section 1 of the bill by striking out in lines 1 and 2 the words and figures, one hundred sixty-six thousand three hundred six dollars and seventeen cents ($166,306.17), and inserting in place thereof the words and figures, two hundred twenty-four thousand, five hundred seventeen dollars and ninety-five cents ($224,517.95).

Further amend said section by striking out all after the words and figures, June 30, 1937, in line 9 and inserting in place thereof the following: state department, Australian ballot, $4,534.81; Industrial School, $9,997.16; Laconia School, $1,934.37; State Hospital, $71,175.74; State House, $2,375.00; burial of soldiers and sailors, $7,817.25; department of Agriculture, division of animal industry, $11,358.50; for legislative expenses, $55,481.26, so that said section as amended shall read as follows:

1. *Appropriation.* The sum of two hundred twenty-four thousand, five hundred seventeen dollars and ninety-five cents ($224,517.95) is hereby appropriated to meet deficits in certain state institutions and departments as follows: For the fiscal year ending June 30, 1936, for state department, presidential primary, $5,655.67; Industrial School, $3,634.39; Laconia State School, $1,117.40; State Hospital, $45,921.90; burial of soldiers and sailors, $3,514.50; for the fiscal year ending June 30, 1937, for

state department, Australian ballot, $4,534.81; Industrial School, $9,997.16; Laconia State School, $1,934.37; State Hospital, $71,175.74; State House, $2,375.00; burial of soldiers and sailors, $7,817.25; Department of Agriculture, division of animal industry, $11,358.50; for legislative expenses, $55,481.26.

Further amend the bill by striking out in section 3 all after the word, state, in line 9, so that said section as amended shall read as follows:

3. *Accounts; Sale.* The Secretary of State shall keep an account of all such notes countersigned by the Governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the Treasurer. The State Treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The Treasurer may negotiate and sell such notes by direction of the Governor and Council in such manner as they may determine most advantageous to the State.

Further amend the bill by adding a new section to be numbered section 4 to read as follows:

4. The appropriations for the fiscal year ending June 30, 1937; for the State House, $2,375.00; Department of Agriculture, division of animal industry; $11,358.50, shall not lapse until September 30, 1937.

Further amend the bill by renumbering section 4 to read section 5 as follows:

5. *Takes Effect.* This act shall take effect upon its passage.

Mr. Sanderson of Pittsfield moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion of Mr. Sanderson of Pittsfield.

Mr. Maker of Merrimack offered the following amendment:

Amend House Bill No. 437, An act providing a deficiency appropriation for certain state departments, by adding another paragraph, number 6, to read as follows: "The sum of eleven thousand ($11,000.00) dollars be appropriated for the scholastic year 1937-1938 and the sum of eleven thousand ($11,000.00) dollars, be appropriated for the scholastic year 1938-1939 for the Keene and Plymouth Normal Schools."

The Speaker ruled the amendment out of order.

The question being on the motion of Mr. Sanderson of Pittsfield.

(Discussion ensued)

Mr. Seavey of Rochester spoke in favor of the motion.

Messrs. Callahan of Keene and McDonough of Dover spoke against the motion.

Mr. Sanderson of Pittsfield withdrew his motion.

Mr. Callahan of Keene moved that the House non-concur in the amendments sent down from the Honorable Senate and ask for a Committee of Conference.

On a *viva voce* vote the motion was adopted.

The Speaker appointed as members on such committee Messrs. Seavey of Rochester, Maker of Merrimack and Sanderson of Pittsfield.

House Bill No. 161, An act creating a retirement system.

Amend paragraph (I) of section 2 of said bill by striking out said paragraph and inserting in place thereof the following:

(1) In recognition of the public service rendered by the teachers in the public schools of this state, and as additional compensation to such teachers as avail themselves of the provisions of this act, the state of New Hampshire agrees to pay on June 30, 1938, the sum of ten thousand dollars, and on June 30 of each year thereafter the sum of twenty thousand dollars to the teachers' retirement board hereinafter created, for the purposes hereinafter stated.

Amend section 5 of said bill by striking out the date "July first, nineteen hundred and thirty-seven" and inserting in place thereof the date January first, 1938, so that said section as amended shall read as follows:

5. *Organization.* The New Hampshire teachers' retirement association shall, as soon as may be after January first, 1938, adopt such form of organization as shall be prescribed by the bank commission, the commissioner of education and the state treasurer acting as a preliminary board, and thereafter shall maintain such form of organization with such modifications thereof as may be adopted from time to time by the members of the association with the approval of the retirement board.

Amend paragraph (1) of section 8 of said bill by striking out the same and inserting in place thereof the following:

(1) Each member of the retirement association shall pay annually to the retirement board for the annuity fund under regulations prescribed by said board such percentage of his salary as may be determined by said board within the limits hereinafter prescribed. The rate of assessment for each school year, except as hereinafter provided, which shall not be more than five per cent of each member's salary, shall be established by the retirement board on or before August fifteenth in each year, and notice thereof shall be given all members of the retirement association in such manner as the retirement board shall prescribe. Such rate of assessment shall be uniform, at any given time, for all members of the retirement association; provided, however, that no member shall in any one year pay to said board less than twenty-five dollars nor more than one hundred dollars. and provided further that the first assessment under this act shall be established by the board on or before March fifteenth, 1938, and shall be one-half the amount of a total year's assessment.

Amend paragraph (3) of said section 8 of said bill by striking out the word "twenty-five" and inserting in place

thereof the word twenty, so that said paragraph as amended shall read as follows:

(3) The retirement board shall deposit annually in the annuity fund from the money paid to it by the state an amount equal to the annual payment of each member of the association, but not exceeding one hundred dollars for any such member; provided, however, that said board shall not deposit to the credit of any one member more than thirty such payments from the money paid to said board by the state, nor shall the total payments made by the state in any one year together with any administrative expenses, exceed the sum of twenty thousand dollars appropriated in this act.

Amend paragraph (1) of section 17 of said bill by striking out the same and inserting in place thereof the following:

(1) All funds paid to the retirement board shall forthwith be remitted by said board to the state treasurer. Such funds as are not required for current disbursements shall be invested and reinvested by the board in accordance with the laws of the state governing the investments of savings banks.

Amend section 20 of said bill by striking out the same and inserting in place thereof the following:

20. *Appropriation.* To provide funds for the purposes of this act there is appropriated to be paid out of the treasury of the state for the period from January 1, 1938 to June 30, 1938, the sum of ten thousand dollars and for the fiscal year ending June 30, 1939, the sum of twenty thousand dollars.

Amend section 22 of said bill by striking out the same and inserting in place thereof the following:

22. *Takes Effect.* This act shall take effect January 1, 1938.

Mr. Tilton of Ward 4, Laconia, moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion of Mr. Tilton.

Mr. Moran of Nashua moved to amend the motion by inserting the words "non concur."

The question being on the motion of Mr. Moran.

(Discussion ensued)

Mr. Tilton of Ward 4, Laconia, spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion of Mr. Tilton.

On a *viva voce* vote the motion prevailed.

The message further announced that the Senate had recalled from the Governor, for further consideration,

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 494, An act in relation to the Keene shops of the Boston & Maine Railroad.

House Bill No. 497, An act making a further extension of state funds for the purpose of obtaining federal funds for old age assistance.

House Bill No. 498, An act relating to summer registration of motor vehicles.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents.

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

Senate Bill No. 144, An act relative to a municipal swimming pool at Memorial Field in the city of Concord.

SENATE BILLS READ AND REFERRED

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

Read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Hart of Wolfeboro the rules were suspended, the printing of the bill and its reference to a committee were dispensed with.

Mr. Hart of Wolfeboro offered the following amendment:

Amend section 1 by striking out in line 7, the words "taken before the effective date of this act" so that said section as amended shall read as follows:

1. *Motor Vehicle Registrations.* Amend chapter 161 of the Laws of 1937 by adding after section 10 the following new section: 10-a. *Exceptions.* The provisions of section 10 forbidding the registration in the name of any person of a motor vehicle, trailer or semi-trailer shall not apply as against any holder of a lien or mortgage upon such vehicle or any person claiming title from such lien holder or mortgagee, provided however that this exception shall not apply to the owner of such vehicle at the time of the accident or any member of his immediate family.

The question being on the amendment offered by Mr. Hart of Wolfeboro.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents:

Read a first and second time.

Mr. Saltmarsh of Concord moved that the rules be suspended, the printing of the bill and its reference to a committee be dispensed with, the bill be put upon its third reading and final passage at the present time.

The question being on the motion of Mr. Saltmarsh.

(Discussion ensued)

Mr. Saltmarsh of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 144, An act relative to a municipal swimming pool at Memorial Field in the city of Concord.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Saltmarsh of Concord moved the rules be suspended, the printing of the bill be dispensed with and the bill be referred to the Special Committee consisting of the delegation from the city of Concord.

On a *viva voce* vote the motion prevailed.

Mr.Mudge of Northwood offered the following resolution:

Resolved, That the Ways and Means Committee of this House be instructed to report in as soon as possible and not later than 11 o'clock Wednesday, August 18, 1937, House Bill No. 387, An act establishing a tax upon incomes and amending the tax on interest and dividends, minus the sales tax provisions.

The question being on the resolution.

(Discussion ensued)

Messrs. Mudge of Northwood, Callahan of Keene, Hoyt of Sandwich, Hunter of Hanover and Dickinson of Rochester spoke in favor of the resolution.

Mr. Sanborn of Wakefield spoke against the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Tilton of Ward 4, Laconia, offered the following resolution:

Whereas, This House has learned with regret of the death of Oberlina Dickson, mother of Harry S. Dickson, Representative from Laconia, therefore be it

Resolved, That the Speaker appoint a committee of six to submit suitable resolutions of sympathy.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members on such committee Messrs. O'Shan, Guay, Elmer S. Tilton, Frederick A. Tilton, Cantin and Newell of Laconia.

At 12:27 o'clock the House took a recess until 1:30 o'clock.

The House met according to recess and resolved itself into a committee of the whole.

Mr. Sanborn of Wakefield was appointed Chairman, for the committee of the whole.

(After recess)

The Committee of the Whole, to whom was referred House Bill No. 501, An act relating to public welfare, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 4 by inserting after the word "commissioner" in line 3 of the printed bill the words, who is a citizen of the United States and the state of New Hampshire, so that said section as amended shall read as follows:

4. *Commissioner.* Said board shall appoint a commissioner of public welfare hereinafter referred to as the commissioner, who is a citizen of the United States and the

state of New Hampshire, whose salary shall be four thousand dollars per year. He shall serve during the pleasure of the board.

Amend section 6 by inserting at the end thereof a new paragraph to read as follows:

XII. Personnel of the board shall be citizens of the state of New Hampshire, insofar as possible.

Amend section 10 by striking out in line 8 the word "two" and inserting in place thereof the word "five" so that said section as amended shall read as follows:

10. *Eligibility for Assistance.* Public assistance shall be granted under this subdivision to any eligible person as defined in section 12 who has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health; who has not made an assignment or transfer of property for the purpose of rendering himself eligible for such assistance at any time within five years immediately prior to the filing of his application for assistance; and who is not an inmate of any public institution at the time of receiving assistance. An inmate of such an institution, however, may make application for such assistance but the assistance if granted shall not begin until after he ceases to be an inmate.

Amend section 16 by striking out in line 8 the word, "proper" and inserting in place thereof the word, all, so that said section as amended shall read as follows:

16. *Granting of Assistance.* Upon the completion of the investigation the commissioner shall decide whether the applicant is eligible for assistance under the provisions of this subdivision and shall determine in accordance with the rules and regulations of the department the amount of such assistance and the date upon which assistance shall begin. The commissioner shall, however, in all cases, first consult with the proper officials of counties or towns hereby required to contribute to the cost thereof. The commissioner shall notify the applicant of his decision.

Amend section 20 by adding at the end thereof the

words, and shall reimburse the state for all assistance he may have so obtained, so that said section as amended shall read as follows:

20. *Fraudulent Acts.* Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain assistance, to which he is not entitled, shall be fined not more than two hundred dollars or be imprisoned not more than three months, or both, and shall reimburse the state for all assistance he may have so obtained.

Further amend section 20 by striking out in line 4 the word "two" and inserting in place thereof the word, five, so that said section as amended shall read as follows:

20. *Fraudulent Acts.* Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain assistance, to which he is not entitled, shall be fined not more than five hundred dollars or be imprisoned not more than three months, or both, and shall reimburse the state for all assistance he may have so obtained.

Amend section 46 by striking out the figures "25" in line 8 and inserting in place thereof the figures, 24, so that said section as amended shall read as follows:

46. *Rate of Reimbursement.* Amend section 7 of chapter 127 of the Laws of 1935 by striking out said section and inserting in place thereof the following: 7. *Old Age Assistance.* The counties, cities and towns shall keep such records and accounts in relation to old age assistance as the state board of welfare and relief shall prescribe. The state, within the appropriation as provided in section 24, shall reimburse each county, city or town to the extent of not to exceed twenty-five per cent of the amount expended for assistance for each aged person which has been granted under the provisions of this act and in accordance with the rules of the board. The board of welfare and relief is hereby authorized to disburse any funds received from the United States government for old age assistance. Claims for reimbursement shall be presented by the re-

spective counties, cities and towns to the state board of welfare and relief at such times and in such manner as said board may prescribe.

On a *viva voce* vote the amendments were adopted.

Mr. Callahan of Keene offered the following amendment:

Amend said bill by striking out in line 3 of the printed bill in section 12, the word "seventy" and inserting in place thereof the words "sixty-five."

The question being on the amendment.

(Discussion ensued)

Mr. Callahan of Keene spoke in favor of the amendment.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS, 105

ROCKINGHAM COUNTY: Dagan, Hepworth, Barrett of Portsmouth, Kittredge, Foote, Canty, Cogan, Badger, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, McCooey, McDonough, Richards, Whitehouse, Colby, Dustin, Cartier, Lagueux, Boucher, St. Laurent, Dubois of Somersworth.

BELKNAP COUNTY: Adams of Belmont, Edgerly, O'Shan, Guay.

CARROLL COUNTY: Downs, Huntress.

MERRIMACK COUNTY: Carter, Coakley, Rivet, Stearns of Concord, Maxham, Ahern, Carignan, Lemire, Dempsey, Douphinett.

HILLSBOROUGH COUNTY: Charois, Abbott of Hudson, Gage, Woodbury of Manchester, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Clark of Manchester, Clougherty, Corey, Betley, Clancy, Healy, Lacroix, Mahoney, O'Brien, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Fox, Sullivan, Ward 6, Manchester, Farrell, Fitzgerald, Gagnon, Gorham, Haley, Horan, Hayes of Manchester, Gallagher, Gaud-

reault, Kelley of Ward 11, Manchester, Sweeney of Manchester, Ward 11, Caron, Maker, Foster, Wadleigh, Cooper, Berube, Marquis, Moran, Maddox, Molloy, Wilcox, Bouthillier.

CHESHIRE COUNTY: Callahan, Roche, Dubois of Swanzey.

SULLIVAN COUNTY: Brigham, Kempton.

GRAFTON COUNTY: Goodwin, Hammond, Remick of Bristol, Graham, Remick of Groton, Madden.

COOS COUNTY: Barden, Collette, Mason, Moffett, Roy, Montminy, Brungot, Ramsey of Berlin, Bixby, Dugas, Myler, Whitcher.

NAYS, 169

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Dickinson of Danville, Fogg of Deerfield, Abbott of Derry, Burbank of Derry, Fecteau, Merrill of Exeter, Tozier, Beede, Syphers, Emerson, Perkins of Hampton, Creighton, Palmer of Kensington, Stevens, Pridham, Estabrook of Newton, Knowles, Palmer of Plaistow, Dondero, Gile, Marston, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Hayes of Dover, Blanchard, Longley, Dickinson of Rochester, Seavey, Varney.

BELKNAP COUNTY: Rollins, Little, White, Hunt, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Newell, Sanders, Helms.

CARROLL COUNTY: Churchill, Day, Mudgett, Quint, Head, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn.

MERRIMACK COUNTY: Munroe, Brown of Bow, Baker, Boutwell, Conlon, Nash, Saltmarsh, Sturtevant, Tilton of Concord, Brunel of Concord, Sharaf, Donovan, Nutter of Epsom, Rowe, Johnson of Hooksett, Mitchell, Ball, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Odell, Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Stearns of

Hancook, Boynton, Cole, Lievens, Smith of Hudson, Cummings of Lyndeborough, Chase, Daniels, Barnard, Johnson of Manchester, Kimball, James, Winslow of Nashua, Armington, St. Francois, Ledoux, Lougee, Cormier, Noel, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Estabrook, Firmin, Robertson, Despres, Sawyer of Jaffrey, Graves, Knowlton of Keene, Jones of Keene, Hilton, Hemenway, Rice, Woodbury of Sullivan, Granger, Barrett of Troy, Relihan, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Etsler, Thomas, Cummings of Newport, Fairbanks, Rogers, Osborne.

GRAFTON COUNTY: Bailey of Bath, Pulsifer, Walbridge, Hunter, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Titus, Perley, Dubuque, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Collins, Hamilton, Hildebrand, Bailey of Lyme, Jones of Monroe, Bell, Taylor, Houston, Dreghorn , Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Snodgrass, Seymour, Dickson of Colebrook, Ramsay of Colebrook, Jordan of Errol, Chandler of Gorham, Willis, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Fuller, Brown of Stratford.

PAIRS: Mr. Grimes of Dover voting Yes paired with Mr. Hart of Wolfeboro voting No.

A roll call being taken, 105 members voting in the affirmative and 169 members voting in the negative and two-thirds of the members elected not being present and voting and two-thirds of those voting not having voted either in the affirmative or the negative, no valid action was taken and the bill with the amendment pending went into unfinished business.

Mr. Baker of Concord rose to a parliamentary inquiry regarding the decision of the Speaker on the validity of the action taken on the vote on the amendment offered by Mr. Callahan of Keene.

The Speaker ruled the bill with the amendment pending went into unfinished business.

Mr. Sanderson of Pittsfield appealed from the decision of the Speaker.

The question being,

Shall the decision of the Speaker be sustained?

On a *viva voce* vote the decision of the Speaker was sustained.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

Senate Bill No. 141, An act relative to subsequent sale of motor vehicles involved in accidents.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Sanborn of Wakefield at 7:11 o'clock the House adjourned.

WEDNESDAY, AUGUST 18, 1937

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

MEMORIAL SERVICE

Under direction of the Speaker a memorial service was conducted for the following members of the House and members of the corps of attaches who have died since commencement of the regular session of the 1937 House of Representatives:

MEMBERS

THEODORE OLIVER RAVENELLE
NASHUA, WARD SIX
DIED JANUARY 18, 1937

CLARENCE AUGUSTUS WARDWELL
KEENE, WARD FOUR
DIED JANUARY 29, 1937

HERBERT STEWART LEWIS
LITTLETON
DIED FEBRUARY 20, 1937

ERNEST W. SMALL
MEREDITH
DIED MARCH 26, 1937

DANIEL BOWDOIN PLUMER
ALEXANDRIA
DIED APRIL 21, 1937

WILLIAM JAMES ELSON
STRAFFORD
DIED APRIL 27, 1937

ATTACHES

DANIEL EDWARD SMITH
Ass't Warden, Cloak Room
DOVER
DIED FEBRUARY 15, 1937

MABEL DOOLEY
Stenographer, Judiciary Committee
BERLIN
DIED JANUARY 24, 1937

WALLACE S. THOMPSON
Custodian of Mail and Supplies
WILMOT
DIED APRIL 5, 1937

The Speaker read an

ESSAY ON IMMORTALITY

by the late EDWARD THOMSON FAIRCHILD
President of the University of N. H.

"There's a city vast yet voiceless,
growing ever street on street,
"Beckons ever this mute city to its
comrades living gay:
To its comrades laughing loudly, sitting
on the pulsing bay;
Drawing from its masqueraders pale
white specters day by day;
Spectors now, men yesterday.
"Thus two cities grow forever, parted
by a narrow tide,
This the shadow, that the substance,
growing by each other's side,
Gliding one into the other, and forever
more shall glide;
Growing ever side by side."

"No conception of Heaven or the future state is more comforting than the reflection that Death shall not be there. There, friends shall never more be parted. There, mourning shall be unknown. The king of Terrors may never enter into the presence of the Great Jehovah.

"Here, change waits on change. We grapple our loved ones to us with hooks of steel, but the Pale Messenger beckons and our bonds are as ropes of sand.

"Death reigns supreme. None live but they must mourn. The mother, the child, the friend—all must shed the bitter tear because of the loss of loved ones.

"It lies not in Philosophy to take away our sorrow. Even Religion, with its rich offering of hope and its promises of

immortality, can not wholly assuage grief in the presence of Death. And yet, how unutterably cruel were fate, if life had no end; if, having performed our task, there were no rest? Wearied with strife and battle, sated even with success, every human soul craves the luxury of the grave. Death is a priceless boon. It alone can smooth the brow of care and soothe the aching heart. It is the merciful sword of Dissolution that renders life endurable.

"Even did death end all—still should we call it thrice welcome. Life is glorious. Friendship, the ties of home, the triumphs of labor and love, the opportunity to be a brother to all mankind, the joys of companionship—all these make existence a privilege—being, a happiness. Yet, without death, we could not endure. The weight of both our joys and our sorrows would become too heavy. We should long inexpressibly for change—for surcease of life.

"But, death does not end all. Our every teaching, our every prompting assures us that there is a life beyond life. A blessed abode where, no longer trammeled by the fetters of flesh, we may be at peace and at rest forever more. Those who have fought the good fight, whose lives have been valiant and magnanimous struggles for right, will enter into a place where immortality reigns supreme—where there is neither age nor sorrow; where care enters not, and where sweet companionship shall be eternal."

COMMITTEE REPORTS

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Etsler of Claremont for the Committee on Judiciary, to whom was referred Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 502, An act relative to the time of payments for services to state employees, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted.

Mr. Barnard of Manchester moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading.

The question being on the motion of Mr. Barnard.

(Discussion ensued)

Mr. Barnard of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The undersigned, a Minority of the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity, and being unable to agree with the majority, reported the same with the recommendation that the joint resolution ought to pass.

E. A. THOMAS,
A Minority of the Committee.

The report was accepted.

Mr. Etsler of Claremont moved to substitute the minority report "ought to pass" for the report of the majority "inexpedient to legislate."

The question being on the motion of Mr. Etsler.

(Discussion ensued)

Messrs. Etsler of Claremont, Callahan of Keene, Danforth of Acworth, Molloy of Nashua and Rogers of Plainfield spoke in favor of the motion.

Mr. Winslow of Nashua and Cummings of Lyndeborough spoke against the motion.

On a *viva voce* vote the motion prevailed.

The question being on the report of the minority that the bill ought to pass.

On a *viva voce* vote the report of the minority was adopted and the bill was referred to the Committee on Appropriations under the rules.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the Industrial School.

Amend said resolution by striking out all after the enacting clause and inserting in place thereof the following:

That the sum of sixteen thousand dollars ($16,000) be and hereby is appropriated to be expended for the industrial school under the direction of the superintendent, with the consent of the trustees of said school, for the following purposes: (1) Inside painting, outside wiring, the connecting of heating and water apparatus and alterations for

the new buildings, (2) grading and road construction, and (3) purchase and installation of equipment for vocational training. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

On motion of Mr. Seavey of Rochester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 498, An act relating to summer registration of motor vehicles.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicle of Non-residents.* Amend chapter 102 of the Public Laws by inserting after section 3 the following new section:

3-a. *Summer Registration and Fees.* A non-resident owner of a motor vehicle, which is used solely for pleasure and is not used for commercial purposes and which has not been registered for the current year in the state, district or country of which the owner is a resident, may register such vehicle for use on the highways of this state during the months of June, July, August and September, or any part of such period, in any year upon the payment of one-half the foregoing registration fees and one-half the permit fees required by chapter 100. The motor vehicle commissioner shall issue appropriate plates under such registration so designated as to be readily distinguishable from regular number plates.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate refused to concur with the House of Representatives in its amendments sent up from the House of Representatives, to Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents, and asked for a Committee of Conference. The President appointed as members on such committee on the part of the Senate, Senators, Doe, Simpson and Eastman.

On motion of Mr. Ahern of Concord the House acceded to the request of the Honorable Senate for a Committee of Conference and the Speaker appointed as members on such committee on the part of the House, Messrs. Hart of Wolfeboro, Bailey of Haverhill, Fairbanks of Newport, Blanchard of Farmington and Downs of Conway.

COMMITTEE OF CONFERENCE

Mrs. Bixby of Berlin for the Committee of Conference, to whom was referred House Bill No. 389, An act relative to the taxation of legacies and successions, recommend that the Senate recede from its position in the adoption of its amendment, and that the House recede from its position of non-concurrence, and recommend the following amendment:

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. Amend section 1, of chapter 72 of the Public Laws, by striking out the whole thereof and inserting in place thereof the following:

1. *Taxable Property; Rate.* All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to inhabitants of the state, and all real

estate within the state, or any interest therein, belonging to persons who are not inhabitants of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, lineal descendant, or adopted child of decedent, or for the care of cemetery lots, or to a city or town in this state for public purposes, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

SCOTT C. W. SIMPSON,
ALLAN M. WILSON,
HOWARD H. HAMLIN,
Conferees on the part of the Senate.

GLENN E. BRITTON,
CHARLES S. HUTCHINS,
HARRY A. MERRILL,
JOHN S. BALL,
MRS. ESTHER C. BIXBY,
Conferees on the part of the House.

On a *viva voce* vote the report was adopted.

COMMITTEE REPORT

Mr. Sanborn of Wakefield for the Committee on Ways and Means, to whom was referred House Bill No. 387 (in new draft and with new title), An act establishing a tax upon incomes and amending the tax on interest and dividends, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

We, the undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 387 (in new draft and with new title), An act establishing

a tax upon incomes and amending the tax on interest and dividends, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

WILLIAM F. MUDGE,
E. D. PUTNAM,
WILLIAM J. CALLAHAN,
RICHARD H. DICKINSON,
A Minority of the Committee.

The report was accepted.

Mr. Mudge of Northwood moved that the report of the minority, "ought to pass" be substituted for the report of the majority, "inexpedient to legislate" and with the motion pending the reports and the bill be laid upon the table and made a Special Order for Thursday, August 19, at 11:01 o'clock.

The question being on the motion of Mr. Mudge.

Mr. Mudge of Northwood spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Sanderson of Pittsfield called for the unfinished business, House Bill No. 501, An act relating to public welfare.

The question being on the amendment offered by Mr. Callahan of Keene.

(Discussion ensued)

Mr. Callahan of Keene spoke in favor of the amendment.

Messrs. Sanderson of Pittsfield, Etsler of Claremont, Seavey of Rochester, Wadleigh of Milford, Whitcher of Whitefield, and Mrs. Cooper of Nashua spoke against the amendment.

Mr. Hart of Wolfeboro moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Callahan.

On a *viva voce* vote the amendment was not adopted.

Mr. McDonough of Dover wished to be recorded as having voted in the affirmative.

Mr. Sanderson of Pittsfield offered the following amendment:

Amend section 16 of page 16 of the printed bill, line 11 by adding after the word decision the following words, "and send a copy thereof to the proper town and county officials."

The question being on the amendment offered by Mr. Sanderson.

(Discussion ensued)

Mr. Sanderson of Pittsfield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Sanderson of Pittsfield offered the following amendment:

"Amend section 46, page 36 of the printed bill, line 8, by striking out the figure 24 and substituting thereof the figure 25."

The question being on the amendment offered by Mr. Sanderson.

(Discussion ensued)

Mr. Sanderson of Pitsfield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

The question being,

Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Ahern of Concord business in order at three o'clock was made in order at the present time.

THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolution by its caption were made in order.

House Bill No. 501, An act relating to public welfare.

Read a third time.

The question being,

Shall the bill pass?

Mr. McDonough of Dover demanded the yeas and nays and the roll was called with the following result:

YEAS, 220

ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Tenney, Dickinson of Danville, Hepworth, Pillsbury, Fecteau, McReel, Merrill of Exeter, Tozier, Beede, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Estabrook of Newton, Knowles, Mudge, Fernald, Barrett of Portsmouth, Dondero, Kittredge, Pray, Yeaton, Cogan, Badger, Gile, Marston, Drowne, Adams of Seabrook, Jewell, Butterfield of Windham.

STRAFFORD COUNTY: Atwood, McCooey, Grimes, Blanchard, Richards, Caldwell, Whitehouse, Longley, Jenkins, Dustin, Cartier, Bergeron, Dickinson of Rochester, Seavey, Nutter of Rollinsford.

BELKNAP COUNTY: Little, Adams of Belmont, Hunt, Edgerly, O'Shan, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Dickson of Laconia, Sanders, Smith of New Hampton, Helms.

CARROLL COUNTY: Russell, Day, Downs, Mudgett, Quint, Head, Huntress, Banfield, Winkley, Hoyt of Sandwich, Wiggin, Sanborn, Hart.

MERRIMACK COUNTY: Munroe, Carter, Brown of Bow, Coakley, Rivet, Stearns of Concord, Boutwell, Conlon,

Nash, Saltmarsh, Sturtevant, Tilton of Concord, Nutter of Epsom, Johnson of Hooksett, Mitchell, Ball, Carr, Perkins of Pittsfield, Sanderson, Hill, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Clark of Bedford, Avery, Pattee, Reynolds, Charois, Boynton, Cole, Lievens, Abbott of Hudson, Cummings of Lyndeborough, Chase, Daniels, Knowlton of Manchester, Barnard, Johnson of Manchester, Kimball, Woodbury of Manchester, Casey, Clark of Manchester, Corey, Betley, Hanley, Driscoll, Gaudreault, Kelley of Ward 11, Manchester, Maker, Wadleigh, Atherton, Cooper, James, Winslow of Nashua, Armington, Marquis, Cormier, Molloy, Noel, Wilcox, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli, Tierney, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Firmin, Robertson, Sawyer of Jaffrey, Graves, Knowlton of Keene, Jones of Keene, Duffy, Roche, Hemenway, Rice, Woodbury of Sullivan, Granger, Barrett of Troy, King, Relihan, Britton, Burbank of Winchester, Horner.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Daly, Etsler, Gaffney, Putnam of Claremont, Quimby, Thomas, Cummings of Newport, Fairbanks, Kempton, Rogers, Osborne.

GRAFTON COUNTY: Bailey of Bath, Goodwin, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Remick of Groton, Tuxbury, Bailey of Haverhill, Brunelle of Haverhill, Titus, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Sliney, Madden, Collins, Hildebrand, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Seymour, Felton, Dickson of Colebrook, Ramsey of Colebrook, Parkhurst, Jordan of Errol, Chandler of Gorham, Willis, Parker, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Marshall, Judd, Rix, Fuller, Brown of Stratford, Whitcher.

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ROCKINGHAM COUNTY: Dagan, Gray.

STRAFFORD COUNTY: Henderson of Dover, Chabot, McDonough, Durnin, Lagueux, Boucher, Labonte, St. Laurent.

BELKNAP COUNTY: White, Guay, Cantin, Newell.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baker, Mansur, Butterfield of Concord, Maxham, Ahern, Carignan, Lemire, Dempsey, Douphinett.

HILLSBOROUGH COUNTY: Dwyer, Sullivan of Ward 4, Manchester, Clancy, Sweeney of Ward 5, Manchester, Connolly, Paul J., Ward 6, Manchester, Gorham, Bolton, Bouthiette, Chevrette, Constant, Donnelly, Walsh, Gallagher, Aubin, Letendre, St. Germain, Berube, Moran, St. Francois, Bouthillier.

CHESHIRE COUNTY: Callahan, Dubois of Swanzey.

SULLIVAN COUNTY: Sheehan, Brigham.

GRAFTON COUNTY: None.

COOS COUNTY: Barden, Collette, Mason, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Brungot, Ramsey of Berlin, Bixby, Dugas, Myler.

The bill passed and was sent to the Senate for concurrence.

House Bill No. 502, An act relative to the time of payments for services to state employees.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 140, An act relating to the bonds of the New Hampshire Water Resources Board.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. McDonough of Dover rose to a question of personal privilege and stated that his name appeared in the Journal

as having voted in both the negative and affirmative on the question of adopting the amendment offered by Mr. Callahan, and requested he be recorded as having voted in the affirmative.

On motion of Mrs. Smith of New Hampton at 1:35 o'clock the House adjourned until 11:00 o'clock tomorrow morning.

THURSDAY, AUGUST 19, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

RESOLUTIONS

Mr. Tilton of Ward 4, Laconia, offered the following resolution:

Whereas, our Heavenly Father has called home Mrs. Oberlina Dickson, mother of Harry S. Dickson, Representative from Laconia, therefore

Be It Resolved, That the members of the House of Representatives express their heartfelt sympathy to their brother member in his bereavement; and be it further

Resolved, That these resolutions be printed in the Journal and the Clerk be instructed to send a copy to Mr. Dickson.

DAVID O'SHAN,
ALFRED L. GUAY,
ELMER S. TILTON,
FREDERICK A. TILTON,
ALFRED J. CANTIN,
FRANK E. NEWELL,
Committee on Resolutions.

The resolution was unanimously adopted by a rising vote.

COMMITTEE REPORTS

On motion of Mr. Etsler of Claremont the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 500, An act relating to the uniforms of the State Police, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Etsler of Claremont the rules were suspended and the bill made in order for third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

ORDER VACATED

On motion of Mr. Estabrook of Newton the order was vacated whereby the House referred House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan, to the Committee on Claims, and the joint resolution was referred to the Committee on Appropriations.

COMMITTEE REPORTS

On motion of Mr. Cummings of Peterborough the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 146, Joint resolution relative to the purchase of a farm for the state hospital, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first

and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Cummings of Peterborough the printing of the joint resolution was dispensed with.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolutions No. 144, Joint resolution in favor of Mount Washington Observatory, Inc., reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Seavey of Rochester the rules were suspended and the joint resolution made in order for a third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in the first line the following: "eleven thousand dollars ($11,000)" and substituting therefor the following, five thousand dollars ($5,000), so that said joint resolution as amended shall read as follows:

That the sum of five thousand dollars ($5,000) be and hereby is appropriated for the repair of highways in the town of Unity damaged or destroyed during the cloud burst which occurred in said town on June 18, 1937. The sum appropriated shall be expended under the direction of the highway commissioner, with the approval of the governor and council, and shall be a charge upon the funds provided by chapter 1 of the Laws of the special session of 1936.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Callahan of Keene the rules were suspended and the joint resolution made in order for third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Mr. Hutchins of Charlestown for the Committee on Labor, to whom was referred House Bill No. 499, An act excepting certain industries from the operation of the employers' liability and workmen's compensation law, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hanley of Manchester moved that printing and reference to committee be dispensed with and the bill be put upon its third reading and final passage at the present time.

The question being on the motion of Mr. Hanley.

(Discussion ensued)

Mr. Cummings of Peterborough spoke against the motion.

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Etsler of Claremont for the Committee on Rules, reported the following entitled bill, House Bill No. 504, An act relative to clerk hire in the offices of the commissioners for Hillsborough County, with the recommenda-

tion that the bill be referred to the Committee on Judiciary.

The report was accepted.

Mr. Hanley of Manchester moved the rules be suspended, the printing of the bill and its reference to a committee be dispensed with and the bill be put upon its third reading and final passage at the present time.

The question being on the motion of Mr. Hanley.

(Discussion ensued)

Messrs. Hanley of Manchester and Sanderson of Pittsfield spoke in favor of the motion.

Mr. Winslow of Nashua spoke against the motion.

Mr. Arthur Connelly of Manchester offered the following amendment:

"Amend bill by striking out the words, 'its passage' and insert in place thereof the words and figures, 'July 1, 1938'."

On a *viva voce* vote the amendment was adopted.

The question being on the motion of Mr. Hanley.

On a *viva voce* vote the motion was adopted and the bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 503, An act relating to hotel and cabin labor, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

On motion of Mr. Hart of Wolfeboro the rules were suspended, the printing of the bill and its reference to a committee were dispensed with, and the bill put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 147, Joint resolution authorizing a commission to review and study laws relating to employer's liability and workmen's compensaton, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Sanderson of Pittsfield the rules were suspended, the printing of the bill and its reference to a committee were dispensed with, and the bill put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled Bill, House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Sanderson of Pittsfield the printing of the bill was dispensed with and the rules were suspended to allow the Appropriations Committee to hold a hearing without advertising same in the Journal.

The House took a recess for one hour.

(After recess)

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 491, An act providing an appeal from the State Board of Health.

1. Amend section 1 of the bill by inserting after the numeral "1" the words "Appeals Authorized", by inserting the word "Appeal" after the numerals and letter "19-b", by inserting the word "regulation" after the word "decision" wherever the same appears and by striking out the words "filed within fourteen days of the date of any such decision, ruling or order" and by inserting in place thereof the words "at any time within thirty days from the time when such decision, regulation, ruling or order shall become effective" so that as amended said section shall read as follows:

1. *Appeals Authorized.* Amend chapter 141 of the Public Laws, as amended by chapter 11, Laws of 1933, by adding after section 19-a the following section: 19-b. *Appeal.* Any person aggrieved by any decision, regulation, ruling or order made by the State Board pursuant to the provisions of section 19-a, shall have the right to appeal at any time within thirty days from the time when such decision, regulation, ruling or order shall become effective, to the Superior Court for a review of said decision, regulation, ruling or order, by a petition for certiorari. Pending review, such decision, regulation, ruling or order shall be and remain in force unless justice shall require its suspension. Upon hearing, the burden of proof shall be

upon the party seeking relief, and in addition to the record all evidence relative to the issues shall be received and considered. Such final order or decree shall be entered as justice may require, but the decision, regulation, ruling or order under review shall not be set aside, quashed or modified, except for errors of law, unless it shall appear by a clear preponderance of evidence that such decision, regulation, ruling or order is unjust or unreasonable.

2. Amend section 2 of said bill by inserting after the words "Takes Effect" the word "Application" and by adding thereto the words "and shall, subject to the limitation herein contained, apply to decisions, rulings, orders or regulations made not more than ninety days before the passage of this act"; so that as amended said section shall read as follows:

2. *Takes Effect; Application.* This act shall take effect upon its passage and shall, subject to the limitation herein contained, apply to decisions, rulings, orders or regulations made not more than ninety days before the passage of this act.

Mr. Jones of Lebanon moved to concur in the amendments.

Mr. Barnard of Manchester moved to amend the motion by inserting the words "non-concur."

The question being on the motion of Mr. Barnard.

(Discussion ensued)

Mr. Barnard of Manchester spoke for the motion.

Mr. Jones of Lebanon spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion of Mr. Jones.

On *a viva voce* vote the motion was adopted.

House Bill No. 490, An act relating to transportation of pupils attending approved private schools.

Amend the bill by striking out section 1 thereof and substituting therefor the following:

1. *Transportation.* Amend chapter 117 of the Public Laws by inserting after section 7, as amended by chapter 76 of the Laws of 1933, the following new section: 7-a. Pupils attending approved private schools, up to and including the ninth grade, shall be entitled to the same transportation privileges within any town or district as are provided for pupils in public schools.

Mr. Etsler of Claremont moved that the House concur in the amendment.

The question being on the motion of Mr. Etsler.

(Discussion ensued)

Mr. Etsler spoke in favor of the motion.

Mr. Hoyt of Sandwich moved to amend the motion by substituting the words "non-concur" for the words "concur."

The question being on the motion of Mr. Hoyt.

(Discussion ensued)

Mr. Hoyt of Sandwich spoke in favor of the motion.

Messrs. Perley of Lebanon, Sanderson of Pittsfield, Callahan of Keene, McCooey of Dover, Grimes of Dover, Tilton of Ward 4, Laconia, Dickinson of Danville, Seymour of Carroll, Ahern of Concord, and Jones of Lebanon and Mrs. Brungot of Berlin spoke against the motion.

Mr. Cummings of Peterborough moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Hoyt.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 22 members voted in the affirmative and 211 members voted in the negative and the motion did not prevail.

The question being on the motion of Mr. Etsler.

On a *viva voce* vote the motion prevailed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 501, An act relating to public welfare.

House Bill No. 502, An act relative to the time of payments for services to state employees.

House Bill No. 503, An act relating to hotel and cabin labor.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 389, An act relative to the taxation of legacies and successions.

The message further announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the attorney general department.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the Attorney General's office.

Read a first and second time and referred to the Committee on Appropriations.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills to the following house bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 389, An act relative to the taxation of legacies and successions.

Amend section 1 of said bill by adding after the word

"Laws" the words, as amended by chapter 130 of the Laws of 1935.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendments proposed by Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

CONCURRENT RESOLUTION

Resolved, by the Senate the House concurring,

That the state planning and development commission be and hereby is directed to make a study of plans for the future development of the state hospital relative to buildings, equipment, agricultural work and other phases, and to make a report of such study to the next regular session of the Legislature.

On a *viva voce* vote the House concurred in the resolution.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representativs:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

Strike out Section 1 of the bill and insert in place thereof the following:

1. *Required Equipment.* Amend Section 4-a of chapter 103 of the Public Laws, as inserted by chapter 81 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 4-a. *Trailers and semi-trailers.* No motor vehicle trailer or semi-trailer, the weight of which including its load is fifteen hundred pounds or more, except wood sawing machines, cement mixers, re-

freshment booths on wheels towed not more than two miles at any one time on the highways of this state and devices of two wheels used by public utilities for the transportation of cables or poles, not to exceed three in number, and trailers used in the transportation of live stock for exhibition, breeding, racing and riding purposes, not exceeding twenty-four hundred pounds in weight, shall be operated on the highways of this state unless equipped with adequate brakes in good working order and sufficient to control the said vehicle at all times when the said vehicle is in use.

On motion of Mr. Avery of Goffstown the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives, House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

Amend the resolution by striking out in lines 1 and 2 thereof the words and figures, fifty-three thousand five hundred dollars ($53,500) and substituting therefor the words and figures, forty-six thousand dollars ($46,000).

Further amend the resolution by striking out the word, alterations, in line 7 thereof and substituting therefor the word, insulation.

Further amend the resolution by striking out the words and figures, ten thousand dollars ($10,000), in lines 9 and 10 and substituting therefor the words and figures, twenty-five hundred dollars ($2,500).

So that said resolution as amended shall read as follows:

That the sum of forty-six thousand dollars ($46,000) be

and the same is hereby appropriated for additional facilities at the State Hospital as follows:

To make insulation in the third floor of the Walker Building the sum of twenty-five hundred dollars ($2,500); to purchase and install kitchen equipment the sum of ten thousand dollars ($10,000); to purchase and install metallic food elevators, five thousand five hundred dollars ($5,500); to install a partial sprinkler system in the Administration Building ten thousand dollars ($10,000); to construct an addition for enlargement of the kitchen in the Walker Building eighteen thousand dollars ($18,000). The above appropriations shall be a charge upon the funds appropriated by chapter 143 of the Laws of 1935.

On motion of Mr. Seavey of Rochester the House refused to concur in the amendments sent down from the Honorable Senate and asked for a Committee of Conference. The Speaker appointed as members on the part of the House, Messrs. Baker of Concord, Cummings of Peterborough and Sawyer of Woodstock.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of four committee reports which had not previously been advertised in the Journal.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 506, An act relative to unexpended flood appropriations for the highway department, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Seavey of Rochester the rules were suspended and the bill made in order for a third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Sanderson of Pittsfield for the Committee of Appropriations, to whom was referred House Joint Resolution

No. 146, Joint resolution relative to the purchase of a farm for the State Hospital, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the bill made in order for a third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 147, Joint resolution authorizing a commission to review and study laws relating to employer's liability and workmen's compensation, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the bill made in order for the third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting in place thereof the following:

That the sum of eleven hundred and twelve dollars and fifty cents ($1,112.50) be and hereby is appropriated to pay for doctors' services and medical care, expenses incurred as result of an accident sustained by Thomas Callahan of Dover while working on a state road in the city of

Dover, March 26, 1936; so much of said amount to be paid as is approved by the highway commissioner. The appropriation made hereunder shall be a charge upon the highway funds.

On motion of Mr. Henderson of Berlin the House concurred in the amendment and the joint resolution was ordered to a third reading.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the bill made in order for third reading at the present time.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 507, An act making additional appropriations for the Normal School, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Sanderson of Pittsfield the printing of the bill was dispensed with.

Mr. Callahan of Keene moved that the rules be suspended, the reference of the bill to a committee be dispensed with and the bill be put upon its third reading and final passage at the present time.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Messrs. Callahan of Keene and Woodbury of Manchester spoke for the motion.

Messrs. Seavey of Rochester and Hart of Wolfeboro spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The bill was then referred to the Committee on Appropriations.

SPECIAL ORDER

Mr. Jones of Lebanon called for the Special Order, House Bill No. 387 (in new draft and new title), An act establishing a tax upon incomes and amending the tax on interest and dividends.

The question being on the motion to substitute the report of the minority "ought to pass" for the report of the majority "inexpedient to legislate."

(Discussion ensued)

Messrs. Callahan of Keene and Dickinson of Danville spoke for the motion.

Messrs. Chase of Manchester and Sanborn of Wakefield spoke against the motion.

Mr. Dickinson of Danville demanded the yeas and nays and the roll was called with the following result:

YEAS—43

ROCKINGHAM COUNTY: Tenney, Dickinson of Danville, Fernald, Dondero, Cogan, Gile, Drowne.

STRAFFORD COUNTY: Grimes, Henderson of Dover, Caldwell, Dustin.

BELKNAP COUNTY: Little, Adams of Belmont, Edgerly, Guay, Helms.

CARROLL COUNTY: Russell, Day, Hoyt of Sandwich.

MERRIMACK COUNTY: Brown of Bow, Maxham, Ahern, Nutter of Epsom, Mitchell, Mock.

HILLSBOROUGH COUNTY: Putnam of Antrim, Reynolds, Abbott of Hudson, Kimball, Woodbury of Manchester, Betley, Gaudreault, Kelley of Ward 11, Manchester.

CHESHIRE COUNTY: Callahan, Horner.

GRAFTON COUNTY: Remick of Groton, Sliney, Hildebrand, Sawyer of Woodstock.

COOS COUNTY: Ramsey of Berlin, Felton, Jordan of Erroll, Marshall.

SULLIVAN COUNTY: None.

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ROCKINGHAM COUNTY: Tuttle of Atkinson, Havican, Fogg of Deerfield, Hepworth, Fecteau, Merrill of Exeter, Tozier, Beede, Emerson, Perkins of Hampton, Creighton, Stevens, Nesmith, Pridham, Estabrook of Newton, Gray, Pray, Yeaton, Badger, Marston, Adams of Seabrook, Jewell.

STRAFFORD COUNTY: Atwood, McCooey, Chabot, Caswell, McDonough, Durnin, Blanchard, Richards, Whitehouse, Longley, Jenkins, Bergeron, Dickinson of Rochester, Seavey, Varney, Boucher, St. Laurent.

BELKNAP COUNTY: White, Hunt, O'Shan, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Sanders, Smith of New Hampton.

CARROLL COUNTY: Downs, Mudgett, Quint, Head, Huntress, Banfield, Wiggin, Sanborn, Carpenter, Hart.

MERRIMACK COUNTY: Munroe, Carter, Coakley, Baker, Mansur, Butterfield of Concord, Sturtevant, Donovan, Carignan, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Carr, Perkins of Pittsfield, Sanderson, Hill.

HILLSBOROUGH COUNTY: Clark of Bedford, Avery, Pattee, Charois, Stearns of Hancock, Cummings of Lyndeborough, Chase, Daniels, Knowlton of Manchester, Barnard, Johnson of Manchester, Casey, Corey, Sullivan of Ward 4, Manchester, Gorham, Donnelly, Maker, Cooper, James, Winslow of Nashua, Marquis, Moran, St. Francois, Cormier, Corliss, Thompson of New Ipswich, Cummings of Peterborough, Hafeli.

CHESHIRE COUNTY: Estabrook of Alstead, Winslow of Chesterfield, Firmin, Graves, Knowlton of Keene, Jones of

Keene, Gates, Hilton, Duffy, Roche, Hemenway, Rice, Woodbury of Sullivan, Crane, Granger, King, Relihan, Britton, Burbank of Winchester.

SULLIVAN COUNTY: Danforth, Hutchins of Charlestown, Daly, Etsler, Howe, Putnam of Claremont, Quimby, Sheehan, Thomas, Cummings of Newport, Fairbanks, Kelly of Newport, Kempton, Rogers, Osborne.

GRAFTON COUNTY: Davis, Hammond, Remick of Bristol, Pulsifer, Graham, Walbridge, Tuxbury, Bailey of Haverhill, Perkins of Holderness, Titus, Perley, French, Hoyt of Lebanon, Jones of Lebanon, Madden, Collins, Soper, Bailey of Lyme, Jones of Monroe, Lufkin, Bell, Merrill of Plymouth, Taylor, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Bixby, Dugas, Myler, Seymour, Ramsay of Colebrook, Parkhurst, Willis. Parker, Thompson of Lancaster, Fogg of Milan, Johnson of Northumberland, Judd, Rix, Fuller, Whitcher.

And the motion to substitute did not prevail.

The question being on the report of the committee that it is inexpedient to legislate.

On a *viva voce* vote the report was adopted.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Rice of Rindge for the Committee on Appropriations, to whom was referred House Bill No. 507, An act making additional appropriations for the normal schools, reported the same with the following resolution:

Resolved, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

SENATE MESSAGE

A message from the Honorable Senate announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 146, An act relative to the trustees of State Institutions.

SENATE BILL READ AND REFERED

Senate Bill No. 146, An act relative to the trustees of state institutions.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Etsler of Claremont moved that the rules be suspended, and the printing of the bill and its reference to a committee dispensed with and the bill put upon its third reading and final passage at the present time.

The question being on the motion of Mr. Etsler.

(Discussion ensued)

Mr. Etsler of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

The bill was then passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Jones of Lebanon the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules, reported the following entitled bill, House Bill No. 508, An act relative to office hours in the state house during the summer months, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time. laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

On motion of Mr. Jones of Lebanon the rules were suspended, the printing of the bill and its reference to a committee dispensed with, and the bill put on its third reading and final passage at the present time.

Read a third time.

The question being,

Shall the bill pass?

(Discussion ensued)

Mr. Jones of Lebanon spoke in favor of the motion.

Mr. Callahan of Keene spoke against the motion.

On a *viva voce* vote the negative prevailed and the bill did not pass.

SENATE MESSAGE

A message from the Honorable Senate announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatves:

Senate Bill No. 145, An act relative to the sale of liquor by clubs.

SENATE BILLS READ AND REFERRED

Senate Bill No. 145, An act relative to the sale of liquor by clubs.

Read a first and second time, and referred to the Committee on Liquor Laws.

Mr. Kimball of Manchester moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Kimball.

(Discussion ensued)

Messrs. Kimball of Manchester, and Dustin of Rochester spoke in favor of the motion.

Messrs. Ahern of Concord, Dickinson of Danville and Barnard of Manchester spoke against the motion.

Mr. Kimball of Manchester withdrew his motion and the bill was referred to the Committee on Liquor Laws.

COMMITTEE REPORTS

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred Senate Bill No. 143, An act providing for special licenses for first class resort hotels, reported the same with the recommendation that the bill ought to pass.

We, the undersigned, a minority of the Committee on Liquor Laws, to whom was referred Senate Bill No. 143, An act providing for special licenses for first class resort hotels, and being unable to agree with the majority, report the same with the following resolution:

Resolved, that it is inexpedient to legislate.

MILES H. DUSTIN,
HARRY G. TITUS.
A Minority of the Committee.

On motion of Mr. James of Nashua the bill and reports were laid upon the table and made a special order for Friday, August 20, at 11:01 o'clock.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of two committee reports which had not previously been advertised in the Journal.

Mr. Seavey of Rochester for the Committee on Rules reported the following entitled bill, House Bill No. 509, An act to provide for the assessment and collection of an annual tax for the term of two years, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Sanderson of Pittsfield the printing of the bill was dispensed with.

Mr. Seavey of Rochester for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

The House took a recess.

(After recess)

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Sanderson of Pittsfield for the Joint Committee of Appropriations and Ways and Means, to whom was referred House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years, reported the same with the recommendation that the bill ought to pass.

On motion of Mr. Sanderson of Pittsfield the rules were suspended, and the bill put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others, reported the same with the recommendation that the joint resolution ought to pass.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the joint resolution put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Bell of Plymouth for the Committee on Appropriations, to whom was referred Senate Joint Resolution, No. 13, Joint resolution making additional appropriations for the attorney general's department, reported the same with the recommendation that the joint resolution ought to pass.

On motion of Mr. Sanderson of Pittsfield the rules were suspended and the joint resolution put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Secretary of State to be engrossed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following concurrent resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

Whereas, it appears that all necessary legislative work may be easily accomplished by Friday, August 20, instant, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Friday, August 20, instant, at 5 o'clock in the afternoon.

Be It Further Resolved, that all reports, bills, and joint

resolutions, with the exceptions of such as have been referred to the next Legislature, be indefinitely postponed.

On motion of Mr. Firmin of Fitzwilliam the House concurred in the resolution.

On motion of Mrs. Dugas of Berlin at 6:40 o'clock the House adjourned from the morning session.

The House was immediately called to order.

On motion of Mr. Graves of Keene at 6:41 o'clock the House adjourned.

FRIDAY, AUGUST 20, 1937.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Lovely of New London was granted leave of absence for the day on account of illness.

COMMITTEE REPORTS

Mr. Monroe of Andover, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

Senate Bill No. 140, An act relating to the bonds of the New Hampshire water resources board.

Senate Bill No. 142, An act relative to the registration of motor vehicles by non-residents.

House Bill No. 161, An act creating a retirement system.

House Bill No. 389, An act relative to the taxation of legacies and successions.

House Bill No. 498, An act relating to summer registration of motor vehicles.

House Bill No. 501, An act relating to public welfare.

House Bill No. 502, An act relative to the time of payments for services to state employees.

House Bill No. 503, An act relating to hotel and cabin labor.

House Joint Resolution No. 142, Joint resolution making an additional appropriation for the industrial school.

The report was accepted.

RESOLUTIONS

Mr. Sanderson of Pittsfield offered the following resolution:

Whereas, this House has learned with regret of the death of Mrs. Nellie Chandler, wife of Charles A. Chandler, Representative from Gorham, and mother of Elisabeth A. Mason, Representative from Berlin, therefore

Be It Resolved that the Speaker appoint a committee to submit suitable resolutions of sympathy, and

Be it Further Resolved, that the Clerk be instructed to procure a floral tribute.

The resolution was unanimously adopted by a rising vote.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 500, An act relating to the uniforms of the State Police.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners for Hillsborough County.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled joint resolution:

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 506, An act relative to unexpended flood appropriations for the highway department.

Amend section 1 of the bill by inserting after the words "March 1936" in the fourth line thereof the words, less such part thereof as the governor and council may reserve for the payment of unsettled claims thereunder; so that said section as amended shall read as follows:

1. The balance of two million dollars appropriated by chapter 1 of the Laws of the Special Session of 1936 unexpended for the construction, repair, relocation and reconstruction of highways, bridges and culverts throughout the state damaged or destroyed during the flood of March 1936 less such part thereof as the governor and council may reserve for the payment of unsettled claims thereunder is hereby transferred and designated to be used by the highway department for the construction and reconstruction of trunk lines, including bridges and culverts for the same in accordance with the provisions of chapter 41, Laws of 1929.

On motion of Mr. Seavey of Rochester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

COMMITTEE OF CONFERENCE

Mr. Baker of Concord for the Committee of Conference, to whom was referred House Joint Resolution No. 85, recommend that the Senate recede from its position in

adopting its amendments and that the House recede from its position of non-concurrence and that the Senate and House adopt the following amendment:

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of fifty-three thousand five hundred dollars ($53,500) be and hereby is appropriated for additional facilities at the State hospital as follows: For insulation and alterations in the third floor of the Walker building, the sum of ten thousand dollars, of which the cost of insulation shall be a first charge; for the purchase and installation of kitchen equipment, the sum of ten thousand dollars; for the purchase and installation of metallic food elevators, five thousand five hundred dollars; for the installation of a partial sprinkler system in the administration building, ten thousand dollars; for the construction of an addition for enlargement of the kitchen in the Walker building, eighteen thousand dollars. The above appropriation shall be a charge upon the funds appropriated by chapter 143 of the Laws of 1935.

HAVEN DOE,
ROBERT O. BLOOD,
Conferees on the part of the Senate.

ALBERT S. BAKER,
GEORGE D. CUMMINGS,
HARRY D. SAWYER,
Conferees on the part of the House.

On motion of Mr. Baker of Concord the report was accepted.

The House took a recess.

(After Recess)

RESOLUTIONS

Mr. Sanderson of Pittsfield offered the following resolutions:

RESOLUTIONS ON THE DEATH OF MRS. NELLIE CHANDLER

Whereas, Our Heavenly Father has called home Mrs. Nellie Chandler, wife of Charles A. Chandler, Representative from Gorham, and mother of Elisabeth H. Mason, Representative from Berlin,

Be It Resolved, That we, members of the New Hampshire House of Representatives, express our heartfelt sympathy to the bereaved family, and

Be it Further Resolved, That this sentiment be printed in our Journal and that the Clerk be instructed to send copies of these resolutions to Mr. Chandler and Mrs. Mason.

"I'd like to think that here and there,
When I am gone, there shall remain
A happier spot that might have not
Existed had I toiled for gain;
That some one's cheery voice and smile
Shall prove that I had been worthwhile;
That I had paid with something fine
My debt to God for life divine."

The resolutions were unanimously adopted by a rising vote.

The House took a recess.

(After Recess)

RESOLUTION

Mr. Baker of Concord offered the following resolution:

Resolved, That the Honorable Senate meet the House of Representatives in joint convention at 2 o'clock P. M. for the purpose of receiving His Excellency the Governor who has a message to deliver.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the

House of Representatives in the passage of the following resolution:

Resolved, That the Honorable Senate meet the House of Representatives in joint convention at 2 o'clock for the purpose of receiving His Excellency the Governor, who has a message to deliver.

JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention His Excellency the Governor appeared and delivered the following address:

Before speaking the words which will terminate the labors of this Legislature, I wish to convey to you a personal message to be recorded in the Journal and thus preserved as an enduring expression of my estimate of the value of what we have accomplished here together.

More than seven months ago, I stood before the joint convention of the Senate and House of Representatives and, in a most public manner, solemnly recognized the grave responsibility which I, together with you, had on that day assumed.

I briefly unfolded to you my conception of the function of government and the administrative policies which I had determined would guide my actions as Governor, and I outlined to you the general program I had in mind for meeting the problems of state.

In endeavoring to carry into effect the program I recommended, I bespoke your co-operation, as I pledged you mine, pointing out that by our acts and our accomplishments in these legislative chambers would the people of New Hampshire judge of our concern for their welfare, our wisdom, and our capacity for leadership.

The promises that I made you on my inaugural day, I have fulfilled to the last detail.

I presented to you for consideration an extensive program of legislation and, to your lasting credit, be it said that you have enacted it into law almost entirely.

The long hours during which you and your committees have been obliged to labor; the patience that has uniformly been shown in conducting hearings; the good judgment, the resourcefulness, and the courage displayed in the difficult task of analyzing and amending and in deciding which of the many measures before you should be made law and which discarded attest to the high caliber of the men and the women who have sat in legislative judgment here.

The record of accomplishment that you have established will endure for many administrations, of that I feel certain.

During all this time that we have been working together, there has generally been manifested between legislators and executive only the most friendly feelings.

Of that fact I am most proud, as I am of the fine demonstration that in the New Hampshire Legislature the common good, rather than narrow partisanship, is the deciding factor by which proposed legislation has been tested.

I have not bothered you with many messages and I have been especially careful not to interfere with the normal processes of legislative consideration.

I have proposed to you many good laws, the enactment of which, it has seemed to me, was greatly needed for the social and economic betterment of the state.

These, taken with measures presented for your consideration by others, or which you yourselves developed and which have passed, form a well-balanced and comprehensive program of legislation with which the people are certain to be pleased and of which you have every reason to be proud.

The legislative session of 1937 has broken the record for duration but it has accomplished much.

We have, finally, arrived at the end of the long period during which we have been associated and the labors of the session of 1937 are about to conclude.

I cannot say "Good-bye" to you and let you leave the State House to return to your normal pursuits, without paying you a deserved tribute of personal appreciation, nor without expressing to you all, on behalf of the State of New Hampshire, my sincere thanks in the name of the people for a session of outstanding accomplishment in their behalf.

The convention then rose.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the report of the Committee of Conference on House Joint Resolution No. 85, Joint resolution to provide additional facilities at the State Hospital.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years.

House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc.

SPECIAL ORDER

Mr. Titus of Landaff called for the Special Order.

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

Mr. Titus of Landaff moved to substitute the minority report "inexpedient to legislate" for the majority report "ought to pass."

The question being on the motion of Mr. Titus.

(Discussion ensued)

Messrs. Titus of Landaff, Danforth of Acworth, Dickinson of Rochester, Callahan of Keene, Woodbury of Man-

chester, and Kimball of Manchester and Mrs. Rix of Shelburne spoke in favor of the motion.

Messrs. Seymour of Carroll, Dickinson of Danville, Hildebrand of Littleton, James of Nashua, Conlon of Concord, and Seymour of Carroll and Mrs. Brungot of Berlin spoke against the motion.

Mr. Noel of Nashua moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report "inexpedient to legislate" for majority report "ought to pass."

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result:

YEAS—88

ROCKINGHAM COUNTY: Tuttle of Atkinson, Tenney, Hepworth, Pillsbury, Tozier, Emerson, Creighton, Nesmith, Knowles, Mudge, Rose.

STRAFFORD COUNTY: Atwood, Henderson of Dover, Chabot, Caswell, Caldwell, Jenkins, Dickinson of Rochester.

BELKNAP COUNTY: Rollins, Little, Adams of Belmont, White, Hunt, Edgerley, Hoyt of Laconia, Newell, Sanders, Smith of New Hampton, Helms.

CARROLL COUNTY: Banfield, Hoyt of Sandwich, Wiggin.

MERRIMACK COUNTY: Monroe, Stearns of Concord, Tilton of Concord, Maxham, Nutter of Epsom, Carr, Hill.

HILLSBOROUGH COUNTY: Putnam of Antrim, Pattee, Reynolds, Stearns of Hancock, Boynton, Abbott of Hudson, Smith of Hudson, Gage, Wadleigh, Corliss, Cheever.

CHESHIRE COUNTY: Winslow of Chesterfield, Firmin, Robertson, Sawyer of Jaffrey, Callahan, Graves, Jones of Keene, Park, Gates, Hemenway, Rice, Crane, Horner.

SULLIVAN COUNTY: Hutchins of Charlestown, Putnam of Claremont, Quimby, Brigham, Rogers.

GRAFTON COUNTY: Pulsifer, Walbridge, Tuxbury, Titus, French, Sliney, Collins, Bailey of Lyme, Lufkin, Houston, Dreghorn, Hutchins of Wentworth.

COOS COUNTY: Felton, Fogg of Milan, Johnson of Northumberland, Judd, Rix, Whitcher.

NAYS—196

ROCKINGHAM COUNTY: Dagan, Havican, Dickinson of Danville, Fogg of Deerfield, Fecteau, McReel, Merrill of Exeter, Beede, Pridham, Estabrook of Newton, Barrett of Portsmouth, Dondero, Kittredge, Foote, Gray, Pray, Yeaton, Cogan, Badger, Marston, Drowne, Adams of Seabrook, Butterfield of Windham.

STRAFFORD COUNTY: McCooey, McDonough, Durnin, Richards, Whitehouse, Longley, Bergeron, Turcotte of Rochester, Seavey, Varney, Nutter of Rollinsford, Boucher, St. Laurent.

BELKNAP COUNTY: O'Shan, Tarlson, Tilton of Ward 3, Laconia, Tilton of Ward 4, Laconia, Cantin, Dickson of Laconia.

CARROLL COUNTY: Russell, Day, Downs, Mudgett, Quint, Head, Huntress, Winkley, Sanborn, Carenter, Hart.

MERRIMACK COUNTY: Courtemanche, Carter, Brown of Bow, Coakley, Rivet, Baker, Boutwell, Mansur, Conlon, Saltmarsh, Sturtevant, Brunel of Concord, Sharaf, Ahern, Lemire, Dempsey, Douphinett, Johnson of Hooksett, Mitchell, Perkins of Pittsfield, Sanderson, Mock.

HILLSBOROUGH COUNTY: Clark of Bedford, Avery, Charois, Cummings of Lyndeborough, Daniels, Knowlton of Manchester, Johnson of Manchester, Barry, Casey, Dwyer, Kelley of Ward 3, Manchester, Talty, Corey, Sullivan of Ward 4, Manchester, Betley, Healy, Sweeney of Ward 5, Manchester, Booth, Connelly, Arthur J., Ward 6, Manchester, Connolly, Paul J., Ward 6, Manchester, Sullivan of Ward 6, Manchester, Gagnon, Gorham, Hanley, Horan, Bolton, Bouthiette, Chevrette, Constant, Donnelly,

Farland, Poulin, Walsh, Lareau, Gaudreault, Haggerty, Cullen, Kelley of Ward 11, Manchester, Sweeney of Ward 11, Manchester, Aubin, Caron, Letendre, Soucy, St. Germain, Foster, Frost, Cooper, James, Winslow of Nashua, Drumm, Berube, Marquis, Moran, St. Francois, Ledoux, Lougee, Maddox, Cormier, Noel, Thompson, Cummings of Peterborough, Hafeli.

CHESHIRE COUNTY: Estabrook of Alstead, Despres, Knowlton of Keene, Hilton, Duffy, Roche, Woodbury of Sullivan, Dubois of Swanzey, Granger, Barrett of Troy, Britton.

SULLIVAN COUNTY: Daly, Gaffney, Howe, Sheehan, Thomas, Cummings of Newport, Fairbanks, Kempton, Osborne, Cram.

GRAFTON COUNTY: Davis, Bailey of Bath, Hammond, Remick of Bristol, Graham, Remick of Groton, Bailey of Haverhill, Brunelle of Haverhill, Smith of Haverhill, Perley, Dubuque, Hoyt of Lebanon, Jones of Lebanon, Madden, Hildebrand, Soper, Jones of Monroe, Howard, Bell, Merrill of Plymouth, Taylor, Sawyer of Woodstock.

COOS COUNTY: Collette, Moffett, Henderson of Berlin, Montminy, Palmer of Berlin, Studd, Brungot, Snodgrass, Bixby, Dugas, Myler, Seymour, Parkhurst, Jordan of Errol. Willis, Parker, Marshall, Fuller.

Danforth of Acworth, voting Yes, paired with Kemp of Concord, voting No.

And the motion to substitute did not prevail.

The question being on the report of committee that the bill ought to pass.

(Discussion ensued)

Mr. Callahan of Keene spoke against the motion.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Sanderson of Pittsfield moved the rules be suspend-

ed and the bill be put upon its third reading at the present time.

The question being on the motion of Mr. Sanderson.

(Discussion ensued)

Mr. Callahan of Keene spoke against the motion.

Mr. Sanderson of Pittsfield moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to suspend the rules to put the bill upon its third reading and final passage at the present time.

Mr. Callahan of Keene called for a division.

A division being had, 226 members voted in the affirmative and 50 members voted in the negative, and the bill was ordered to a third reading.

The question being,

Shall the bill be read a third time?

Mr. Ahern of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the bill be read a third time?

On a *viva voce* vote the motion prevailed and the bill was read a third time.

The question being,

Shall the bill pass?

Mr. Ahern of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Secretary of State to be engrossed.

Mr. Ahern of Concord moved to reconsider at the present time the vote whereby the House passed Senate Bill No. 134, An act providing for special licenses for first class resort hotels.

The question being on the motion of Mr. Ahern.

Mr. Ahern of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Ahern.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Bailey of Haverhill the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mrs. Dondero of Portsmouth for the Committee on Liquor Laws, to whom was referred Senate Bill No. 145, An act relative to the sale of liquor by clubs, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Ahern of Concord the rules were suspended and the bill put upon its third reading at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. Ahern of Concord moved to reconsider at the present time the vote whereby the House passed Senate Bill No. 145, An act relative to the sale of liquor by clubs.

The question being on the motion of Mr. Ahern.

Mr. Ahern of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Ahern.

On a *viva voce* vote the motion did not prevail.

COMMITTEE REPORTS

Mr. Bailey of Haverhill for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 143, An act providing for special licenses for first class resort hotels.

Senate Bill No. 145, An act relative to the sale of liquor by clubs.

Senate Bill No. 146, An act relative to the trustees of state institutions.

House Bill No. 504, An act relative to clerk hire in the offices of the commissioners of Hillsborough County.

House Bill No. 509, An act to provide for the assessment and collection of an annual state tax for the term of two years.

Senate Joint Resolution No. 13, Joint resolution making additional appropriations for the attorney-general's department.

House Joint Resolution No. 85, Joint resolution to provide additional facilities at the state hospital.

House Joint Resolution No. 144, Joint resolution in favor of Mount Washington Observatory, Inc.

House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others.

House Bill No. 490, An act relating to transportation of pupils attending private schools.

House Bill No. 500, An act relating to the uniforms of the State Police.

House Bill No. 505, An act relating to the issuance of bonds by the County of Hillsborough.

Senate Joint Resolution No. 10, Joint resolution in favor of the town of Unity.

Senate Joint Resolution No. 11, Joint resolution relative to buoys in Lake Winnisquam.

The report was accepted.

The Committee on Engrossed Bills, to whom was referred Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

Amend said bill by adding after section 1 the following:

2. *Truck Inspection.* Amend said chapter 103 of the Public Laws by inserting after section 4-a as hereinbefore amended the following: 4-b. Application of regulations.

Further amend said bill by renumbering section 2 to be section 3.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The Committee on Engrossed Bills, to whom was referred House Bill No. 491, An act providing an appeal from the State Board of Health, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

House Bill No. 491, An act providing an appeal from the State Board of Health.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Takes Effect; Application.* This act shall take effect upon its passage and, subject to the limitation herein contained shall also apply to decisions, rulings, orders, or

regulations made not more than ninety days before the passage of this act.

On motion of Mr. Jones of Lebanon the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The Committee on Engrossed Bills, to whom was referred House Bill No. 506, An act relative to unexpended flood appropriations for the highway department, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out all of said section after the word "same" in the tenth line.

On motion of Mr. Baker of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then then to the Secretary of State to be engrossed.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 148, Joint resolution in favor of Guy S. Neal and others.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 34, An act relating to the charter of the city of Berlin.

Amend said bill by striking out the date "1938" where it occurs in sections 5 and 12 and insert in place thereof the date 1939.

Amend section 8 of said bill by striking out the twentieth to twenty-third lines, inclusive, and inserting in place thereof the following: fire department; the term of office of such appointees shall be for two years and until their successors are appointed and qualified except such officers or agents as may be appointed for a lesser period in which case such appointments shall be designated as temporary. Said city council may create

On motion of Mr. Seavey of Rochester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The House took a recess.

(After Recess)

COMMITTEE OF CONFERENCE

Mr. Hart of Wolfeboro for the Committee of Conference, to whom was referred Senate Bill No. 141, An act relative to subsequent sale of certain motor vehicles involved in accidents, reported that the committee be discharged and that a new committee be appointed.

The report was accepted and the Speaker appointed on the new committee on the part of the House, Messrs. Howe of Claremont, Carpenter of Wolfeboro, Mudgett of Conway, French of Lebanon, and Mrs. Charois of Greenville.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the

Senate asked the concurrence of the House of Representatives:

House Bill No. 286, An act defining house trailers.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the board of trustees of the Industrial School.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Industrial School.* Amend section 2 of chapter 9 of the Public Laws, as amended by an act approved August 20, 1937, by striking out said section and inserting in place thereof the following: 2. *Appointment of Trustees.* There shall be a board of five trustees for the industrial school and a board of seven trustees for each of the other said four institutions, the appointed members of which shall serve without pay but shall be allowed their reasonable expenses. Three members of the board of trustees of the industrial school shall be appointed by the governor and council. The first members of the board of trustees of the industrial school appointed by the governor and council in accordance with the provisions of this section shall be appointed one for a term of one year, one for two years and one for three years and thereafter each shall be appointed for a term of three years. Five members of each of the other boards shall be appointed by the governor and council for terms of five years each. They may be either men or women. Vacancies in the boards shall be filled by the governor and council for the unexpired term. Any such appointed member of said boards may be removed by the governor and council at any time for cause. The governor and such member of the council as he may appoint shall be ex-officio members of each of said boards of trustees. The chairman of each board shall be, in the case of the industrial school, one of the three appointed members and in the

case of the other institutions one of the five appointed members, and shall be elected annually by the board. Services rendered by any member of the council in carrying out any of the provisions of this chapter shall be considered as the performance of his duty as councilor.

2. *Expiration of Terms of Office.* Upon the passage of this act the terms of office of the five appointed members of the board of trustees of the industrial school, appointed by the governor and council, shall expire.

3. *Takes Effect.* This act shall take effect upon its passage.

Mr. Callahan of Keene moved to concur in the amendments sent up from the Honorable Senate.

Mr. Perley of Lebanon moved to amend the motion by substitution of the words to "non concur."

The question being on the motion of Mr. Perley.

On a *viva voce* vote the motion did not prevail.

The question being on the motion of Mr. Callahan.

Mr. Baker of Concord moved that the motion of Mr. Callahan be indefinitely postponed.

The question being on the motion of Mr. Baker.

(Discussion ensued)

Mr. Baker of Concord, Mr. Cummings of Peterborough, and Mr. Wadleigh of Milford spoke in favor of the motion.

Mr. Chase of Manchester, Mr. Callahan of Keene and Mr. Barnard of Manchester spoke against the motion.

Mr. Baker of Concord called for a division.

A division being had 153 members voted in the affirmative and 72 members voted in the negative, and the motion prevailed.

Mr. Callahan of Keene demanded the yeas and nays but subsequently withdrew his demand.

The message also announced that the Senate had voted to concur with the House of Representatives in its adop-

tion of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

House Bill No. 491, An act providing an appeal from the State Board of Health.

House Bill No. 506, An act relative to unexpended flood appropriations for the Highway Department.

(Mr. Sanborn of Wakefield in the Chair)

COMMITTEE OF CONFERENCE REPORT

Mr. Seavey of Rochester for the Committee of Conference, to whom was referred House Bill No. 437, An act providing a deficiency appropriation for certain state departments, offer the following report: That the House recede from its position of non-concurrence with the amendments sent down by the Honorable Senate, and that the same be adopted.

ROBERT O. BLOOD,
WILLIAM M. COLE,
Conferees on the part of the Senate.

RALPH F. SEAVEY,
ROBERT H. SANDERSON,
CLAUDE M. MAKER,
Conferees on the part of the House.

The report was accepted.

RESOLUTIONS

Mr. Tilton of Ward 4, Laconia, offered the following resolution:

Resolved, That the Speaker appoint a committee to draw up suitable resolutions on the death of Harrie M. Young, the venerable Clerk of the House.

The Speaker appointed as members on such committee Messrs. Etsler of Claremont, Callahan of Keene, Osborne of Sunapee, Guay of Laconia, Firman of Fitzwilliam, Pridham of Newcastle, Jones of Lebanon, Soucy of Manchester, and Daniels of Manchester, and Mrs. Barden of Berlin.

Mr. Tilton of Ward 4, Laconia offered the following resolution:

Whereas, we have learned with profound regret and deep sorrow of the passing of one who has been for so many years closely associated with us in his very able capacity as Clerk of the House of Representatives, therefore be it

Resolved, that the Speaker appoint a committee to submit suitable resolutions of sympathy and a delegation to attend the funeral services, and

Be it Further Resolved, that the Assistant Clerk be instructed to procure a floral tribute.

(Speaker in Chair)

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had adopted the report of the Committee of Conference to House Bill No. 437, An act providing a deficiency appropriation for certain State departments.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Lapse; Payment.* The appropriations made in section 1 for the State House and for the Department of Agricul-

ture, division of animal industry, shall not lapse until September 30, 1937. The governor is authorized to draw his warrant for the sums appropriated in the preceding section out of any money in the treasury not otherwise appropriated.

Further amend said bill by striking out sections 3 and 4 and renumbering section 5 to read section 4.

On motion of Mr. Seavey of Rochester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

ENGROSSED BILLS

Mr. Monroe of Andover reported the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 126, An act relative to equipment of trailers and semi-trailers.

House Bill No. 34, An act relating to the charter of the city of Berlin.

House Bill No. 491, An act providing an appeal from the state board of health.

House Bill No. 506, An act relative to unexpended flood appropriations for the highway department.

RESOLUTIONS

Mr. Osborne of Sunapee offered the following:

RESOLUTIONS ON THE DEATH OF HARRIE M. YOUNG

Whereas, Our Heavenly Father in His infinite wisdom has called home an associate and friend, Harrie M. Young, former member and for many years Clerk of the House of Representatives, and

Whereas, we realize to the utmost what a very great loss his passing is, not only to the Legislature but to the State, therefore be it

Resolved, That we, the members of the New Hampshire House of Representatives, attest our appreciation of his loyal citizenship, his ability as a parliamentarian, his record of devoted and faithful public service not only during the present but also many past sessions of the New Hampshire General Court, and

Be it Further Resolved, That this sentiment be printed in our Journal and that a copy be sent to the family with the assurance of our sincere and heartfelt sympathy with them in their bereavement.

"There is a Power whose care
Teaches thy way along that
pathless coast—
The desert and illimitable air—
Lone wandering, but not lost.

He who, from zone to zone,
Guides through the boundless
sky thy certain flight.
In the long way that I must
tread alone,
Will lead my steps aright."

CLARENCE B. ETSLER,
FRED A. JONES,
WILLIAM J. CALLAHAN,
LEO L. OSBORNE,
ALFRED L. GUAY,
JULIUS H. FIRMIN,
MARGARET H. BARDEN,
JAMES W. PRIDHAM,
LOUIS J. SOUCY,
JOEL S. DANIELS, SR.,
Committee on Resolutions.

The resolution was adopted by a rising vote.

ADDRESS

Mr. Callahan of Keene delivered an address, a eulogy on Harrie M. Young, former Clerk of the House of Representatives.

The House took a recess.

(After Recess)

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had recalled from the Governor for further consideration House Bill No. 437, An act providing a deficiency appropriation for certain State Departments.

The message also announced that the Senate refused to concur with the House of Representatives in the passage of the following bill, sent up from the House of Representatives:

House Bill No. 115, An act relating to permits for the registration of motor vehicles.

The House took a recess.

(After Recess)

On motion of Mr. Perkins of Pittsfield the House adjourned from the morning session.

AFTERNOON

The House was immediately called to order in afternoon session.

RESOLUTIONS

Mr. Callahan of Keene offered the following resolutions:

INDEFINITELY POSTPONED

In accordance with the concurrent resolution that all bills and joint resolutions pending in either branch on Fri-

day, August 20, at 5 o'clock be indefinitely postponed, the following bills were indefinitely postponed:

House Bill No. 2, An act relating to hours of labor for women and minors.

House Bill No. 7, An act establishing a commission to raise additional revenue for cities and towns.

House Bill No. 38, An act relating to expiration date of motor vehicle registrations, municipal permits and licenses for motor vehicle operators.

House Bill No. 47, An act to prevent stealing of gasoline and oil.

House Bill No. 49, An act relating to the Industrial School.

House Bill No. 55, An act defining the word employer in the laws relative to unemployment compensation.

House Bill No. 63, An act relative to recount ballots after an election.

House Bill No. 73, An act relating to poll taxes.

House Bill No. 82, An act to change the ward lines of Ward 8 in Concord and other wards affected by said change.

House Bill No. 98, An act relating to the purity of elections.

House Bill No. 116, An act relating to defrosters on automobiles.

House Bill No. 122, An act relating to the sale of pistols and revolvers.

House Bill No. 132, An act relating to taxation of personal income.

House Bill No. 165, An act relating to salaries of state officials and employees.

House Bill No. 169, An act relating to hawkers and peddlars.

House Bill No. 171, An act authorizing the city of Laconia to provide pensions for city employees.

House Bill No. 181, An act to authorize the city of Laconia to provide pensions for police officers.

House Bill No. 182, An act authorizing the city of Laconia to provide pensions for school teachers.

House Bill No. 205, An act relating to foreign insurance companies and their agents.

House Bill No. 214, An act relating to the registration and operation of motor vehicles by non-residents.

House Bill No. 218, An act relating to state officials and employees.

House Bill No. 244, An act relating to old age assistance.

House Bill No. 245, An act relating to railroad passenger service.

House Bill No. 282, An act relative to sale of food in drug stores.

House Bill No. 283, An act in favor of arts and crafts commission.

House Bill No. 293, An act relating to appointment of the city auditor for the city of Manchester.

House Bill No. 304, An act relating to rates and changes by public utilities.

House Bill No. 339, An act relating to the observance of the Lord's Day.

House Bill No. 341, An act prohibiting drug stores and chain stores from serving meals and lunches.

House Bill No. 378, An act relating to nominations of certain delegates and officials.

House Bill No. 407, An act relating to unemployment compensation.

House Bill No. 423, An act to establish checklist commissioners.

House Bill No. 442, An act to grant planning and zoning powers to the Hampton Beach Village District in the town of Hampton.

House Bill No. 487, An act providing for the establish-

ment and administration of unemployment compensation.

House Bill No. 493, An act relating to public welfare.

House Joint Resolution No. 30, Joint resolution relating to calling a Constitutional Convention.

House Joint Resolution No. 45, Joint resolution to assist the town of Exeter and the town of Hampton in celebration of the three hundredth anniversary of their settlements.

Senate Bill No. 27, An act relating to closing of polls at election other than town meetings.

Senate Bill No. 136, An act to make available the New Hampshire Law reports.

Senate Bill No. 139, An act relating to canned lobster meat.

Senate Bill No. 144, An act relating to municipal swimming pool at Memorial Field in the city of Concord.

Senate Joint Resolution No. 8, Joint resolution for a commission to study methods for the eradication of syphilis.

RESOLUTION

On motion of Mr. Jordan of Errol:

Resolved, By the House of Representatives, the Senate concurring, that a committee of the lady members of the House be appointed to join with such committee as the Senate may designate to wait upon His Excellency, The Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

COMMITTEE APPOINTMENT

The Speaker appointed the following members to attend the funeral of Harrie M. Young:

Messrs. Daniels of Mancester, John Sullivan of Manchester, Sanborn of Wakefield, and Baker of Concord.

The House took a recess.

(After Recess)

COMMITTEE OF CONFERENCE REPORT

Mr. Howe of Claremont for the Committee of Conference, to whom was referred Senate Bill No. 141, recommend that the House recede from its position in adopting its amendments and that the Senate recede from its position of non-oncurrence that the House and Senate adopt the following amendment:

Amend said bill by adding after section 1 the following new section:

2. *Proof Required for Registration.* In the application for the registration of a motor vehicle under the provisions of chapter 100 of the Public Laws the owner or person controlling such vehicle shall state whether there is any mortgage or lien upon such vehicle or any sum due upon the purchase price thereof and if the answer is yes said person must furnish proof of financial responsibility under the provisions of chapter 161 of the Laws of 1937 before such vehicle may be registered.

3. *Penalty.* Any person who shall make any false statement in his application for registration of a motor vehicle relative to the provisions of the preceding section shall be guilty of perjury.

Further amend said bill by renumbering section 2 to read section 4.

AUSTIN L. CALEF,
DON W. RANDALL,
W. B. HANSON,
Conferees for the Senate.

EARL F. HORNE,
HAROLD C. FRENCH,
BERNADETTE E. CHAROIS,
RALPH G. CARPENTER, 2ND,
PERLEY W. MUDGETT,
Conferees for the House.

The report was accepted.

The House took a recess.

(After Recess)

COMMITTEE REPORT

Mr. Sawyer of Woodstock reported that the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

House Bill No. 437, An act providing a deficiency appropriation for certain state departments.

The report was accepted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that:

In accordance with the concurrent resolution previously adopted that all bills and joint resolutions pending in either branch of the legislature on Friday, August 20th, at 5.00 o'clock, be indefinitely postponed, the following bills and joint resolutions were indefinitely postponed:

House Bill No. 20, An act relating to unemployment in the City of Berlin and in the County of Coos.

House Bill No. 256, An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 272, An act to legalize the annual meeting of the North Conway Lighting Precinct.

House Bill No. 317, An act relating to the charter of the City of Rochester.

House Bill No. 468, An act appropriating money to rehabilitate the highway funds.

House Joint Resolution No. 128, Joint resolution relating to the seventy-fifth anniversary of the Battle of Gettysburg.

House Joint Resolution No. 143, Joint resolution in favor of Thomas Callahan.

House Joint Resolution No. 146, Joint Resolution relative to the purchase of a farm for the State Hospital.

House Joint Resolution No. 147, Joint resolution authorizing a commission to review and study laws relating to employer's liability and workmen's compensation.

House Bill No. 1151, An act relating to permits for the registration of motor vehicles.

The report was accepted.

The message further announced that the Senate had adopted the following resolution:

RESOLUTION

On motion of Senator Hamlin the Senate concurred in the following resolution:

Resolved, By the House of Representatives, the Senate concurring, that a committee of the lady members of the House be appointed to join with such committee as the Senate may designate to wait upon His Excellency, The Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

The President appointed as members of such committee, Senators Morris, Simpson, Guyer, Doe and Calef.

The message further announced that the Senate had adopted the report of the Committee of Conference on Senate Bill No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents, resigned, and requested the President to appoint another committee.

Pursuant to the request the President appointed as new members of such committee on the part of the Senate, Senators Calef, Randall and Hanson.

The message also announced that the Senate had adopted the report of the Committee of Conference on Senate Bill

No. 141, An act relative to subsequent sales of certain motor vehicles involved in accidents.

Mrs. Atwood of Barrington, for the Joint Committee appointed to wait upon His Excellency, the Governor, and inform him that the Legislature had completed its duties, reported that they had attended to their duties and that the Governor informed them that he had no communication to lay before the House.

The report was accepted, and His Excellency, Francis P. Murphy, then came in and delivered the following message:

To the House of Representatives:

I have been informed by the Joint Committee of the Senate and the House of Representatives that you have completed the business of the session and are ready to adjourn. The bills and resolutions that have been passed by the General Court on this closing day of the session have received executive approval.

And now, by the authority vested in me, as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in the month of December, in the year of our Lord, one thousand, nine hundred and thirty-eight.

FRANCIS P. MURPHY,

Governor.

Whereupon the Speaker declared the House adjourned to the last Wednesday in December, 1938.

CYRIL J. FRETWELL,
Clerk.

A true copy: attest

CYRIL J. FRETWELL,
Clerk.

APPENDIX

The Committee on Mileage reports approval of the following mileage schedule in terms of miles per week for Senators and Representatives:

MILEAGE

SENATE

	Miles per Week
Emmet J. Kelley, Berlin	234
Mrs. Lula J. A. Morris, Lancaster	222
John B. Eames, Littleton	182
Scott C. W. Simpson, Bartlett	170
Alfred W. Guyer, Hanover	136
George W. Stafford, Laconia	54
Anson C. Alexander, Boscawen	18
Howard H. Hamlin, Claremont	106
Allen M. Freeman	2
William B. Hanson, Gilsum	100
Don W. Randall, Troy	124
Philip C. Heald, Wilton	80
Arthur O. Burque, Nashua	78
Charles R. Eastman, Weare	40
Allan M. Wilson, Manchester	36
Dennis F. Mahoney, Manchester	40
J. Vincent Moran, Nashua	42
J. Felix Daniels, Manchester	40
Haven Doe, Somersworth	90
Austin L. Calef, Barrington	62
William M. Cole, Derry	58
Arthur J. Connor, Exeter	84
Charles A. Allen, Portsmouth	92

MILEAGE

HOUSE OF REPRESENTATIVES

Rockingham County

	Miles per Week
Harry B. Tuttle, Atkinson	82
Henry F. Dagan, Auburn	48
Bart E. Havican, Brentwood	76
William E. Shaw, Candia	50
Walter P. Tenney, Chester	76
Richard H. Dickinson, Danville	80
Carl M. Fogg, Deerfield	44
Ernest L. Abbott, Derry	60
Robert W. Burbank, Derry	60
Oliver H. Hepworth, Derry	60
Walter A. Pillsbury, Derry	60
Thomas W. Fecteau, Epping	70
William A. McReel, Exeter	86
Harry Merrill, Exeter	86
George R. Scammon, Exeter	86
Willard K. Tozier, Exeter	86
Clifton H. Beede, Fremont	66
Harold A. Syphers, Greenland	100
Frank W. Emerson, Hampstead	76
Herbert Perkins, Hampton	100
Forrest B. Creighton, Hampton Falls	100
D. Everett Palmer, Kensington	98
George B. Stevens, Kingston	80
Frank A. Nesmith, Londonderry	56
James W. Pridham, New Castle	98
Eugene Rousseau, Newmarket	76
Leo J. Turcotte, Newmarket	76
A. Ralph Estabrook, Newton	92
Forrest E. Knowles, North Hampton	102

	Miles per Week
William F. Mudge, Northwood	42
Frank H. Fernald, Nottingham	56
John A. Palmer, Plaistow	94
Andrew J. Barrett, Portsmouth	90
Mary C. Dondero, Portsmouth	90
Patrick J. Kittredge, Portsmouth	90
Harry H. Foote, Portsmouth	92
Edwin W. Gray, Portsmouth	92
Richard G. Pray, Portsmouth	92
John H. Yeaton, Portsmouth	92
William S. Canty, Portsmouth	92
William Cogan, Portsmouth	92
Frank W. Badger, Portsmouth	92
Frederick Finnigan, Portsmouth	93
William T. Rose, Portsmouth	93
Willie B. Gile, Raymond	60
Walter G. Marston, Rye	102
Carl Manor, Salem	96
Leonard B. Peever, Salem	90
Clarence I. Drowne, Sandown	72
Elihu T. Adams, Seabrook	116
George C. Jewell, Stratham	94
George H. Butterfield, Jr., Windham	72

Strafford County

Bertha H. Atwood, Barrington	56
Clifton R. Hayes, Dover	80
Samuel L. Henderson, Dover	78
John E. McCooey, Dover	78
Philias J. Chabot, Dover	84
Patrick J. Durkin, Dover	80
William A. Grimes, Dover	78
Philip P. Caswell, Dover	78
George W. Garland, Dover	78
Harold F. Blaisdell, Dover	78

	Miles per Week
Ernest L. Lucas, Dover	86
Dennis M. McDonough, Dover	78
Edward Durnin, Dover	78
Oren V. Henderson, Durham	70
Carl C. Blanchard, Farmington	86
Fred L. Richards, Farmington	86
Frank I. Caldwell, Lee	68
Wesley J. Whitehouse, Middleton	106
George W. Longley, Milton	102
Ralph C. Jenkins, New Durham	68
Alfred Colby, Rochester	82
Maitland J. Berry, Rochester	76
Miles H. Dustin, Rochester	78
Rudolph G. Cartier, Rochester	80
Louis Bergeron, Rochester	76
Hervey E. Turcotte, Rochester	76
Spencer Dickinson, Rochester	72
Ralph F. Seavey, Rochester	70
Charles W. Varney, Jr., Rochester	72
George W. Nutter, Rollinsford	86
Placide J. Laguex, Somersworth	90
Napoleon A. Habel, Somersworth	90
Alfred J. Boucher, Somersworth	90
Claire A. LaBonte, Somersworth	90
Romeo S. Laurent, Somersworth	90
Onesime J. Dubois, Somersworth	90
William J. Elson, Strafford	56

Belknap County

Charles A. Rollins, Alton	80
Harry E. Little, Barnstead	46
Herbert C. Adams, Belmont	42
John T. White, Center Harbor	86
Perry E. Hunt, Gilford	62
Roy C. Edgerly, Gilmanton	56

	Miles per Week
David O'Shan, Laconia	70
George W. Tarlson, Jr., Laconia	68
Alfred L. Guay, Laconia	54
Fortunat A. Normandin, Laconia	54
Elmer S. Tilton, Laconia	56
Oscar L. Hoyt, Laconia	54
Frederick A. Tilton, Laconia	54
Alfred J. Cantin, Laconia	54
Harry S. Dickson, Laconia	56
Frank E. Newell, Laconia	58
Edward M. Sanders, Laconia	60
Norman R. Martin, Meredith	78
Ernest W. Small, Meredith	76
Elsie L. Smith, New Hampton	74
Charles F. Helms, Sanbornton	60
Justin J. O'Shea, Tilton	38

Carroll County

Uriah B. Russell, Bartlett	184
Guy L. Churchill, Brookfield	116
Clarence Day, Chatham	194
Elmer H. Downs, Conway	168
Perley W. Mudgett, Conway	164
Otis M. Quint, Conway	156
Winfield S. Head, Eaton	156
Fred Huntress, Freedom	130
Edith D. Banfield, Moultonborough	90
Mark W. Winkley, Ossipee	120
Charles B. Hoyt, Sandwich	100
Charles A. Wiggin, Tamworth	120
Ansel N. Sanborn, Wakefield	108
Ralph G. Carpenter, Wolfeboro	90
Harold H. Hart, Wolfeboro	90

Merrimack County

	Miles per Week
Alcide Courtemanche, Allenstown	16
Oliver H. Munroe, Andover	50
Harry W. Carter, Boscawen	18
Burt Brown, Bow	12
Charles P. Coakley	18
George Rivet	24
Ralph L. Stearns	8
George W. Kemp	10
Lewis H. Nutter, Epsom	26
Donald Piper, Franklin	38
Emile Carignan, Franklin	42
Eusebe P. Lemire, Franklin	42
John P. Dempsey, Franklin	42
Louis H. Douphinett, Franklin	42
Silas A. Rowe, Henniker	34
Angelo H. Fowler, Hill	50
Carl R. N. Johnson, Hooksett	34
Fred N. Mitchell, Hooksett	18
John S. Ball, Hopkinton	26
Charles L. Merrill, Loudon	26
Fred S. Lovely, New London	66
Albert A. Carr, Northfield	36
Antonio Dupont, Pembroke	14
Romeo L. Lavallee, Pembroke	14
John H. Perkins, Pittsfield	30
Robert H. Sanderson, Pittsfield	30
Orton F. Hill, Warner	36
Adam E. Mock, Webster	44

Hillsborough County

Percy M. Odell, Amherst	58
Erwin D. Putnam, Antrim	62
Augustus W. Clark, Bedford	46
Clarence J. Avery, Goffstown	34

	Miles per Week
R. Robert Matheson, Goffstown	34
Arthur E. Pattee, Goffstown	34
George A. Reynolds, Greenfield	80
Bernadette E. Charois, Greenville	96
Foster Stearns, Hancock	78
George W. Boynton, Hillsborough	46
Daniel W. Cole, Hillsborough	46
Edward Lievens, Hollis	86
Roland W. Abbott, Hudson	78
Arthur W. Smith, Hudson	80
Erwin E. Cummings, Lyndeborough	94
Stoddard B. E. Chase, Manchester	42
Joel S. Daniels, Sr., Manchester	38
Sherman L. Greer, Manchester	38
Edward T. Knowlton, Manchester	36
Charles H. Barnard, Manchester	36
Perley W. Gage, Manchester	38
Victor C. Johnson, Manchester	38
Charles V. Kimball, Manchester	38
Charles E. Woodbury, Manchester	38
Joseph M. Barry, Manchester	42
Dennis Casey, Manchester	42
Michael J. Dwyer, Manchester	40
Martin A. Kelley, Manchester	40
Michael A. Talty, Manchester	40
John F. Clark, Manchester	40
James K. Clougherty, Manchester	40
William W. Corey, Manchester	40
Patrick J. Sullivan, Manchester	40
Stanley J. Betley, Manchester	40
William F. Clancy, Manchester	40
George T. Healy, Manchester	40
Arthur J. Lacroix, Manchester	40
Martin L. Mahoney, Manchester	40
John C. O'Brien, Manchester	40

	Miles per Week
Patrick J. Sweeney, Manchester	40
William J. Booth, Manchester	42
Arthur J. Connelly, Manchester	42
Paul J. Connolly, Manchester	42
Frank M. Fox, Jr., Manchester	42
John P. Jordan, Manchester	42
John J. Sullivan, Manchester	42
Francis A. Farrell, Manchester	40
John Fitzgerald, Manchester	40
Alcide R. Gagnon, Manchester	38
Mark J. Gorham, Manchester	40
John A. Hanley, Manchester	38
John J. Horan, Manchester	40
Frank J. Bolton, Manchester	42
Edward F. Bouthiette, Manchester,	42
Joseph Chevrette, Manchester	42
George N. Constant, Manchester	42
Michael S. Donnelly, Manchester	42
Henry Farland, Manchester	42
Eugene Poulin, Manchester	42
John E. Walsh, Manchester	42
John F. Driscoll, Manchester	38
Timothy F. Hayes, Manchester	38
Leon R. Lareau, Manchester	38
Francis L. Gallagher, Manchester	42
Philippe Gaudreault, Manchester	40
John J. Kearns, Manchester	40
George I. VanVliet, Manchester	42
Henry E. Cullen, Manchester	38
Joseph B. Haggerty, Manchester	42
Edwin B. Kelley, Manchester	40
Francis H. Sweeney, Manchester	40
Joseph P. Aubin, Manchester	42
Charles A. Caron, Manchester	44
George E. Desruisseaux, Manchester	38

	Miles per Week
Alpha J. Letendre, Manchester	42
Louis J. Soucy, Manchester	42
Almon A. Boisvert, Manchester	40
Henry J. Janelle, Manchester	42
Wilfred S. Lariviere, Manchester	40
Lionel V. Lesmerises, Manchester	38
Arthur H. St. Germain, Manchester	43
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JOURNAL

OF THE

HONORABLE SENATE

SPECIAL SESSION OF 1936

PROCLAMATION

of

His Excellency, Governor H. Styles Bridges

Calling a Special Session of the Legislature

The State of New Hampshire

Executive Department

A Proclamation by the Governor

Whereas the welfare of the state requires the assembling of the Legislature,

I, H. Styles Bridges, Governor, with the advice and consent of the Council, hereby summon the General Court to assemble at the State House, Tuesday, the 12th day of May, 1936, at ten o'clock, a. m., Eastern Standard Time.

H. STYLES BRIDGES,
Governor.

By His Excellency, the Governor, with the advice and consent of the Council.

ENOCH D. FULLER,
Secretary of State.

JOURNAL

OF THE

HONORABLE SENATE

SPECIAL SESSION, MAY, 1936

TUESDAY, May 12, 1936.

In pursuance of the foregoing proclamation, the Honorable Senate assembled in the Capitol in the City of Concord in said State on Tuesday the twelfth day of May, 1936, at ten o'clock in the forenoon.

The Clerk proceeded to call the roll.

PRESENT

Dist. No.		
	1.	Hon. Emmet J. Kelley
	2.	Hon. George D. Roberts
	3.	Hon. Clarence L. Bailey
	4.	Hon. Ansel N. Sanborn
	5.	Hon. Harry Manson
	6.	Hon. Maurice G. Wiley
	7.	Hon. Anson C. Alexander
	8.	Hon. John J. Condon
	9.	Hon. Charles F. Butler
	10.	Hon. George F. Knowlton
	11.	Hon. Winfred C. Burbank
	12.	Hon. Eliot A. Carter
	13.	Hon. Honore E. Bouthillier
	14.	Hon. John G. Marston
	15.	Hon. Donald McLeod
	16.	Hon. William F. Harrington
	17.	Hon. John E. Barrett
	18.	Hon. John A. Foley
	19.	Hon. Aime Martel

20. Hon. Haven Doe
21. Hon. Austin L. Calef
22. Hon. William M. Cole
23. Hon. Arthur W. Brown
24. Hon. Charles M. Dale

The Senate was called to order by the President.

On motion of Senator Cole, the following resolution was adopted:

Resolved, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency the Governor the Senate has assembled and is now ready to proceed with the business of the Special Session.

On motion of Senator Doe, the following resolution was adopted:

Resolved, That the rules of the Senate for the last session be the rules of the Senate for the present Special Session until otherwise ordered by the Senate.

On motion of Senator Harrington, the following resolution was adopted:

Resolved, That to preserve a record of attendance, the Clerk be instructed to call the roll of the Senate each morning, just prior to the adjournment of the morning session and that any Senators who do not answer to their names at that time be considered absent for the day unless they announce their presence at some time during the day's session.

RECESS

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk.

HOUSE MESSAGE

Mr. President:

The House of Representatives has passed the following resolutions:

Resolved, That the Honorable Senate be notified that the House of Representatives has assembled in accordance with

the proclamation of His Excellency, the Governor, and is now ready to proceed with the business of the session.

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11:00 o'clock for the purpose of receiving His Excellency the Governor, and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

The message further stated that the House of Representatives had passed the following concurrent resolution, in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, By the House of Representatives, the Senate concurring, that the joint rules of the last session of the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered, except that no bill, joint resolution or petition relating to new business, shall be received in either branch of the Legislature, unless reported by the Committee on Rules of either branch, provided that this rule may be suspended in either house whenever majority of the whole number of members present shall, on division, take vote in favor thereof, and not otherwise.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the adoption of the foregoing concurrent resolution.

On motion of Senator Alexander, the following resolution was adopted:

Resolved, That the House of Representatives be notified that the Senate will be ready to meet the House in joint convention at 11:00 o'clock for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

Pursuant to the foregoing resolution the Senate met the House of Representatives in joint convention.

(In joint convention. See House proceedings)

GOVERNOR'S MESSAGE

Members of the General Court:

You have been requested to meet here under that provision of the Constitution which empowers the Chief Executive, with the advice of his Council, to convene the Legislature in Special Session whenever the welfare of the State requires it.

I am informed that this will be the sixth extraordinary session of the Legislature in the constitutional history of the State. But it is the second within ten years to provide for reconstruction following floods. That fact alone requires us in performance of our public duty to act promptly for current needs and to encourage all efforts intended to restrict the possibility of recurrence of such a disaster.

Floods of March 1936, whether or not they were the greatest the State has ever known, caused the greatest damage in our recorded history.

The first flood of 1936 seems now to have been a sort of rehearsal for the second which brought to New Hampshire its great problem of reconstruction. Property damage can be repaired, services can be replaced. But there is no way to recover the four lives lost. We are thankful that loss of life was no greater. Rehabilitation can never completely overcome the anguish of those who lost homes they had come to love. For a moment I should like to recall for you some of the scenes of that historic time.

As flood waters revealed their threat to people, property and services, on the 18th of March the office of the Governor became a center into which information was poured, appeals for aid and assistance were directed, and out of which coordinated relief, rescue and protection of lives and property was attempted.

My own office force was assisted by other State officials and private citizens. Some I drafted. Others came voluntarily. We kept a minute by minute record of the efforts of your state government to be of service to its political subdivisions and to its people. This, together with a moving picture record, can be considered perhaps one of the most

valuable documents from many points of view which is numbered among our State papers. They will be invaluable should emergency arise again, but I trust we never shall need to use them.

To the office of the Governor came hundreds of reports. Many of the reports were later found to be only rumors, although presented in sincere effort to be helpful.

We had reports of bridges going out that never went out. We had reports of dams breaking that withstood the force of torrents never anticipated. We learned of lives being lost where people were early removed from danger.

Likewise we were informed accurately of things that did happen. We knew of State institutions being flooded that had never known the leakage of water before. We knew of power houses abandoned which had never failed to light communities. We knew of railroad services being cancelled. We knew of communities being cut off from each other even before the connecting highways were flooded. We knew of cities losing gas service where homes depended upon that service for fuel, light and heat. We knew of bridges collapsing, of churches endangered, of schools inundated. At the same time we knew of thousands working feverishly in other parts of the State, in less comfortable circumstances than our own, to save lives, homes, factories, cattle, dams, bridges, railroads, gas and power plants, and other property.

Through it all the courage of our people never faltered. Lips quivered as homes became awash, perhaps, but the fight went on. Many are the tales of heroism which could be told. As we watched the devastation taking place we were awed by a great demonstration of nature. Although emotions strange to people of New Hampshire seized us, there was expressed constantly a vigorous determination to recover what was being lost. That is the spirit we should hold here today.

It was immediately evident that damage was to be terrific. Problems raised without warning were of two kinds. Some were immediate. Others had to do with future action and reconstruction.

One of the first official acts of the Governor was to desig-

nate the American Red Cross as the official agency to extend and direct relief to our people. I cannot speak too highly of the promptness with which the Red Cross mobilized for the emergency, extended its helping hand into every nook and corner of the State, brought immediate relief to those in need and later, inspired by the visit of its national president, Admiral Cary T. Grayson, swung into the great, but less romantic task, of rehabilitation.

To the Red Cross Relief Fund New Hampshire citizens themselves contributed more than $90,000.

More than 3,300 families were affected.

On April 30, 2,770 cases had been registered for aid.

Approximately 300 names of farmers were on the list.

On April 30th, 959 cases had been closed because aid was no longer needed.

During the emergency period 17,759 persons were fed.

Cost of the emergency period including both expenditures and commitments was $23,000.

Approximately $50,000 has been expended for rehabilitation of families.

Total expenditures and commitments on May 4 was $73,131.46.

One-third of the total cases have now been handled, two-thirds remain for further assistance in rehabilitation.

The Red Cross has met, or will provide for, rehabilitation needs where individual means or credit are not adequate.

The State Relief Division reports that the effect of the floods on the general relief load of the State was practically negligible. That more people were not forced to seek relief through the established poor relief agencies was largely due to the work of the Red Cross. Such employment as came to relief cases in flood reconstruction work was of short duration and failed to change relief status except in a very few cases. Border-line cases, on the other hand, appear to have benefited more substantially by employment.

Those given temporary employment, however, were far outnumbered by those who temporarily lost wages.

For the rescue, relief and aid to people and for protection

of property, it was necessary to supplement local organizations with the National Guard in several communities. The services of officers and men, organized, trained and equipped, was of inestimable value. Federal agencies, including the National Emergency Council, the Works Progress Administration, Civilian Conservation Corps, Rural Resettlement Administration and the Public Works Administration, served effectively in the emergency, and deserve the appreciation of the State. Veterans organizations performed voluntary and meritorious service. Other private agencies assisted.

At the Executive Offices we appreciated the cooperation of all agencies for dissemination of information and communication. Newspapers of the State and radio systems, established broadcasters, and amateurs, with short wave sets, performed a meritorious service.

To conserve an uncertain motor fuel supply, we curtailed the sale of gasoline, but removed the restriction the moment we were assured it was no longer necessary.

At one time we feared food shortage because we could not be sure when certain arteries of travel might be open. We learned what it means to be without railroad service, even for a short time. We appreciated the extraordinary steps taken to restore rail service and the emergency services of other transportation agencies.

We appreciated the promptness with which we were assured of availability of foodstuffs in transit in railway yards but were glad it did not become necessary to commandeer these things.

We feared a fuel shortage if carload freight shipments were to be long delayed and by survey determined the needs of every public and private hospital in the State and every institution for the care of people. We were prepared for emergency deliveries, but these were not necessary.

Epidemic safeguards and immediate health needs were met through cooperation of State and local health authorities, local hospitals, the medical profession and scores of nurses.

While we were meeting immediate needs, we were also acutely aware of the problem of reconstruction, ahead.

Two courses were open to us. One was to immediately summon the Legislature and ask for a blank check with which to meet undetermined needs. Another was to make a careful check of needs before legislative authority was sought.

The time required to complete the necessary surveys, to determine with reasonable accuracy the amount of public funds necessary for reconstruction, has justified our decision to know the facts before we acted.

To determine the facts and correlate data the New Hampshire Flood Reconstruction Council was organized by the Governor and Council. It was non-partisan in character. Its membership was made up of individuals representative of the stricken areas and of the State as a whole.

For the comprehensive and most authoritative report on flood effects produced by any state in the country, the State owes the more than 200 men and women, who participated in this work, its gratitude. Their formal report presents only a summary of the basic records accumulated. The report has been submitted to you but I would like to review here its major findings.

Direct damage sustained as a result of the floods totaled about ten and one-half million dollars. This is exclusive of such indirect damage as loss of wages, losses of use and occupancy, loss of trade, suspension of business. Indirect losses were substantial and might conceivably equal or exceed the direct losses. This total of direct damage is summarized as follows:

Highways and bridges	$4,256,900
Other public property	269,200
Utilities and railroads	1,935,958
Industries	2,868,857
Recreational facilities	10,000
Farms and rural property	426,695
Other private property	650,000

We made an exact analysis of agricultural losses. This included soil studies by the University of New Hampshire Agricultural Experiment Station. Farmers have been advised on the treatment of land and the best and most profit-

able crops to raise this year. Many have been assisted in rehabilitation.

Provision was made for free legal counsel to flood damaged industries or individuals.

Where loans appeared to be needed, regular banking channels and federal loaning agencies were sought in an effort to bring the agency to the individual and thus hasten reconstruction. The Federal Housing Administration, the Reconstruction Finance Corporation, the Farm Credit Administration, including the Federal Land Banks, the Concord Production Credit Association, Emergency Seed and Crop Corporation and Rural Resettlement Administration have assisted with valuable service. For New Hampshire industries a state branch of the Reconstruction Finance Corporation was established in Concord.

A committee on utilities determined damage to property and equipment, studied plans for repairs, replacements and resumption of service, and assisted in emergency services.

We were concerned at the effect that property losses might have on the tax lists this year, particularly in towns and cities. Before the Legislature met we wanted to know whether communities were to need assistance, in what directions and in what amounts. As careful and thorough an examination as could be made indicates that property valuations for local tax purposes will be decreased by about $1,500,000 because of flood damage. The loss in inventory value of live stock and stock in trade is between $500,000 and $600,000. This is expected to be replaced before another tax period.

The conclusion was reached by the Flood Reconstruction Council that the only state financial assistance which is needed is that necessary for the repair and reconstruction of highways and bridges. Total damage, at first estimated to exceed $5,000,000 has been reduced by re-checking and re-survey to $4,256,900. To avoid confusion I ought to say that this estimate varies a little as new figures and plans are worked out. It is as nearly correct as can be determined for this purpose. That this reconstruction is necessary for the

convenience of our own citizens goes without question. That it should be done promptly as an aid to our now very substantial recreational industry, also stands unquestioned.

Subsequent to the report of the Flood Council, it has been pointed out that the State should give consideration to local communities for damage to public property, outside of highways and bridges. The Flood Council studied this matter, but felt that the damage to this class of property would, in all probability, be cared for through WPA projects, sponsored by the various communities. I request a small appropriation to cover the emergency expenditures of the State, made with the authority of the Governor and Council. We wrote no item for flood expenses into our regular budget last year.

When we set out to measure the flood damage, we determined that, so far as it rested within our power to do so, we would accomplish a planned reconstruction which would eliminate duplications of effort and expense, provide better accommodations if this could be done within reasonable bounds. This effort should be continued as suggested. We also determined to do everything in our power to prevent another similar disaster.

At your regular session, you enacted into law the state water resources program. We anticipated Federal assistance in its construction. The floods have demonstrated the value of such a program. Obviously Federal cooperation is necessary if the broad program which you envisioned is to be completed in the near future. If this program is going forward, we would want to avoid expensive reconstruction in areas which may become storage reservoirs.

To advance the program, the Water Resources Board filed applications with the Federal Public Works Administration, seeking funds for several projects. The projects have been approved, but no funds have been allocated for construction.

Grants have been made through the Emergency Relief Administration for preliminary survey and design work on the Blackwater and Suncook Ponds sites, to the extent of approximately $20,000.

United States Army engineers, as a result of an act of

Congress, are now at work in New Hampshire on surveys. They are cooperating with the Water Resources Board, and have been given every cooperation of our several State departments. Several bills for flood control projects, and which carry allocations for New Hampshire, are now pending in Congress.

Cooperating with the State of Vermont, we have named an Interstate Committee to study bridge needs of the Connecticut River Valley.

In addition to determining facts, we have made a very careful re-examination of all available funds to determine whether we could accomplish reconstruction without resort to further appropriations. This cannot be done.

Through the State Public Works Office, local communities have been assisted in filing 202 highway and bridge projects with the Federal WPA of a total value of $1,552,381, of which $1,416,999 was requested of WPA. Twenty-seven other projects for repair of other public property at a cost of $91,682, of which the WPA was asked to provide $73,865. This accounts for a total request from the WPA of $1,490,864, exclusive of highway applications filed direct by the cities of Manchester and Keene, and by those cities and Nashua for repairs on public property, other than highways. Other applications may be submitted.

To the extent that these construction jobs are undertaken by WPA, the direct cost of reconstruction to cities, towns and the State will be reduced.

We determined the extent of state financing needed to be $2,000,000 by the following method. The estimated damage was $4,256,900.

We have estimated the following revenues as available for reconstruction:

50% aid on Federal aid bridges from Bureau of Public Roads	$100,000
WPA Assistance to towns for road repair	500,000
Anticipated additional Federal aid (WPA or PWA) for trunk line, State aid and town bridges	500,000

Part of 1929 bond Act issued for trunk line reconstruction, used for construction of trunk line and State aid bridges	500,000
Joint state and town "town road aid" funds used for town road repair if agreeable to the towns	250,000
Towns contribution ⅛ of 1% of assessed valuation	500,000
Total	$2,350,000

If we deduct these estimated revenues from the damage total, the difference of $1,906,900 represents the amount of new money needed.

It was therefore concluded that authority should be granted to borrow, as planned, on short term notes, a maximum amount of $2,000,000.

The State Highway Department recommends that the $2,000,000 borrowing be increased $500,000 to provide for the uncertainty of funds from other sources planned for.

I am informed by the Highway Department that if the $500,000 of 1929 bond act money, taken from the $1,000,000 of bonds issued this year as the last in the eight year program of trunk line reconstruction, is used now for flood purposes, the State will be unable to meet the regular 1936 and 1937 Federal aid. This Federal aid is granted to us on the basis of the State matching the Federal funds dollar for dollar.

Having determined the need, the next question was how to finance repair. While I have always advocated the "pay-as-you-go" policy for the State, that is, current expenditures met by current revenues, I believe it is entirely proper for the State to borrow to repair the damage caused by any great calamity, providing however, that a plan is devised to provide for the payment and retiring of the amount so borrowed. After consideration of every plan suggested, weighing fact against fact, the Reconstruction Flood Council recommends the levy of an additional cent of gasoline tax for a period not exceeding three years. In the meantime to borrow as needed, under the recommended plan, up to a maximum of $2,000,000 to be paid off through this tax. If this plan is adopted, and it is unnecessary to issue any portion of

this loan, you may rest assured it will not be issued. Because it is believed the State can borrow money cheaper that way, it is recommended that short term notes be issued.

Last year each cent of gasoline tax produced some over $700,000 in revenue to the State. If the proposed additional cent produces as much revenue, it will cover interest and principal retirements, and permit payment of the debt and the repeal of this tax within three years.

It is my belief that we should not borrow one single cent of money for reconstruction, or any other purpose, that we cannot honestly say we can pay back. It is sound business, and absolutely essential, to preserve State credit, to continue our State policy of providing a method to retire debts we incur.

Repayment of funds borrowed by increasing the road toll one cent was the policy pursued in 1927, when reconstruction followed that flood, by action of the Legislature taken in a single day. That legislative session authorized borrowings up to $3,000,000. Approximately $1,600,000 of bonds were actually issued, though the total expended on flood reconstruction was $2,622,622.

We can thank the reconstruction which took place after the 1927 flood for having saved us much damage this year. Heavier bridges, which replaced those destroyed on the state system in 1927, stayed with us this year.

The floods of 1936 were far more general in New Hampshire than the one of 1927. Only seventeen towns escaped flood damage to highways in 1936. Far greater damage to town roads and to town bridges was sustained in 1936 than in 1927.

The highway department explains that due to the fact that a great number of towns and cities never reported their flood damage (in 1927), because it was less than 1/5 of the valuation, in which case the town paid all the damage. The total cost of the flood in the State is unknown and cannot be computed, due to the fact that the towns, in making their annual returns to the State Tax Commission, failed to segregate flood damage from their annual town road expenditures.

Damage to town roads in 1927, as computed for me by the State Highway Department, was approximately $888,383, indicating that damage to town roads in the 1936 floods was about three and a half times greater. Our highway and bridge damage this year was divided as follows:

State roads and bridges $1,229,400
Town roads 3,027,500

It is obvious that this damage to town roads is too great for many communities to bear alone, in view of the very much greater burden now being carried by local communities because of the unemployment of our citizens in recent years.

It is believed desirable that the rule for state aid to towns and cities be laid down in the statute. In 1927 the rule established was to grant assistance where the cost exceeded one-fifth of one per cent of valuation. It is believed the grant should be more substantial this time. The Reconstruction Flood Council recommend that the State contribution be made on the basis that no town shall be required to expend on its own account for flood repair to highways and bridges, a sum in excess of one-eighth of one per cent of assessed valuation, and that the Governor and Council be authorized to increase the state aid where application of the rule would produce a debt beyond the legal debt limitation of any town. This apportionment of state aid seems to be wholly reasonable.

Under this formula only forty-nine towns, where damage occurred, appear to have had so little loss in proportion to assessed valuation that they will receive no state aid. State aid would be extended to more than one hundred and fifty towns and cities.

This program is submitted to you as the result of the most thorough study of an emergency program undertaken by New Hampshire. The plan recognized as a basic essential of true planning the determination of basic need. It has taken into account every known agency for other assistance. It represents a program which will permit reconstruction and provide for prompt and economical liquidation of emergency borrowings.

I am aware of the fact that there is opposition to the recommended increase in the gasoline tax at this time. As responsible public officials, we are faced, not with theory, but with realities. Either the State will assist the towns and cities to carry the cost of needed reconstruction, or the towns and cities must carry the burden alone, over and above what is done by the WPA, and that has been taken into account in the plan submitted to you. If the towns and cities are to carry the burden alone, it means increased tax burdens directly placed on every home, every store, every factory, every farm.

Let me remind you that almost 90 per cent of the property taxpayers' local bill represents local spendings in his own community, and that taxes on real property in New Hampshire, as elsewhere, are staggering.

We will be derelict in public duty if we should permit any action here to accelerate the increase in property taxation by failing to lift as great a portion of the flood damage from local communities as we can afford to do through the equalizing influence of state taxation.

The gasoline tax is collected day by day, as the motorist uses the road, and measured by his use of the road, and is the only method by which we receive a contribution for road use from the hundreds of thousands of out-of-state guests, who travel through our state. As the proceeds of a gasoline tax are received, borrowings can be liquidated month by month, thereby reducing the cost of borrowing the money, and advancing more rapidly the time when the emergency tax can be discontinued completely.

It is argued that the flood damage should be repaired without any cost to the people of the State. That it should be done by economies. There are no major economies which I know with respect to our highway program of construction, reconstruction and maintenance that will have any substantial effect on our total expenditures unless we are ready to adopt a policy that our roads, now built, are to be permitted to wear away. That would not be economy. It would be economic suicide for a recreational State like New Hamp-

shire, to say nothing of the comforts and convenience and needs of our own people.

Let us provide the funds to adequately rebuild and reconstruct roads and bridges in the stricken areas, securing all the help that we can from Federal Agencies. I always have been, and I am today, for a pay-as-you-go policy, as far as current expenditures are concerned, but in the event of a great disaster such as the 1936 flood which was the greatest calamity our State of New Hampshire has ever suffered, I believe it wholly proper that the money be borrowed to pay for reconstruction work, provided however that some method be enacted into law providing for the retirement of indebtedness created for this purpose. You therefore have before you a two-fold problem. First, to provide the funds necessary for reconstruction. Secondly, to provide a method for payment of the same.

In the regular session of 1935 this Legislature approved one of the most forward-looking, progressive, constructive programs enacted in many years. By your foresight you planned the fundamentals which even now constitute our chief source of hope that such a disaster shall never again visit our State.

Under the same constitution which gave me, as Governor, the authority to summon you here, the supreme power of legislation was vested in you as members of the General Court. That constitution invests in you the authority to enact such legislation, within the limits of the constitution itself, as you shall deem to be for the benefit and welfare of the State.

I hope there may be enacted here a sound program, that your action will be prompt. I hope we may accomplish our objective in a one day session, and that by your actions you will add to the splendid record written by you in your deliberations a year ago.

I have endeavored to place the facts before you with the recommendations of the Reconstruction Flood Council for your consideration.

I have confidence that by your action a sound and constructive program will be enacted.

Let me add that it has been a great pleasure for me, as Chief Executive of this State, to work with you as a Legislature. Your cooperation has been of tremendous assistance to me, and the record you have written is one of which you can be justly proud.

The Senate re-assembled.

The Chair declared a recess for one hour.

RECESS

The Senate re-assembled.

Senator Doe assumed the Chair.

INTRODUCTION OF BILLS

Senator Dale under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Senate Bill No. 83, An act changing the definition of employer in the laws relative to unemployment compensation.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation.

Senator Condon moved that the rules be further suspended, printing and reference to committee be dispensed with and the bill ordered to a third reading at the present time.

Senator Carter moved that the bill be laid upon the table with the foregoing motion pending.

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Senate Bill No. 85, An act relating to unemployment compensation.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with, and the bill ordered to a third reading and passed.

RECESS

The Senate re-assembled.

President Dale in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges, and culverts throughout the State damaged or destroyed during the floods of March, 1936.

House Bill No. 468, An act making appropriations for

and in aid of reconstruction and repair of public property, damaged or destroyed during the floods of March 1936 and for emergency expenditures for the protection of life and property during said floods.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Finance.

House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the State damaged or destroyed during the floods of March 1936.

Senator Alexander moved that the rules be suspended, reference to committee be dispensed with and the foregoing entitled bill read a third time and passed at the present time.

(Discussion ensued)

Senator Manson moved that the bill be laid upon the table and made a special order for May 13th at 10 a. m.

On a *viva voce* vote the Chair was in doubt.

Senator Manson demanded a division.

Ten Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed and the motion was lost.

Senator Sanborn offered the following amendment.

Amend section 1 of the bill by adding after the word "March" in the sixth line the following, April and to May 12; so that said section as amended will read:

1. *Appropriation.* In addition to the sums of money heretofore appropriated or provided for highway purposes, a sum not exceeding two million dollars is hereby raised, as hereinafter provided, and appropriated for the construction, repair, relocation and reconstruction of highways, bridges and culverts throughout the state damaged or destroyed during the floods of March, April and to May 12, 1936.

Amend the title of the bill by inserting after the word "March" in the third line the words, April and to May 12; so that said title as amended will read:

An Act to Provide Funds for the Construction, Reconstruction and Repair of Highways, Bridges and Culverts throughout the State Damaged or Destroyed during the Floods of March, April, and to May 12, 1936.

On a *viva voce* vote the Chair was in doubt.

Senator Sanborn demanded a division.

Four Senators having voted in the affirmative and sixteen Senators in the negative, the negative prevailed and the motion to amend was lost.

On motion of Senator Alexander, the rules were suspended and the bill ordered to a third reading at the present time and passed.

On motion of Senator Harrington, the following entitled bill was laid upon the table to be printed and referred to the Committee on Finance:

House Bill No. 468, An act making appropriations for and in aid of reconstruction and repair of public property, damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods.

TAKEN FROM TABLE

On motion of Senator Carter, Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation, was taken from the table.

The question being stated,

Shall the rules be suspended to dispense with printing and reference to committee?

On a *viva voce* vote the affirmative prevailed.

On motion of Senator Carter, the following amendment was adopted, and the bill as amended ordered to a third reading at two o'clock.

Amend the bill by adding a new section to be numbered 2.

Amend section 12 of Chapter 179-A of the Public Laws, as inserted by Chapter 99 of the Laws of 1935, by striking out said section and inserting in place thereof the following: 12.*Contributions by Employees.* Beginning on January 1, 1936, each employee shall contribute to the fund one half of

one per cent of his wages; and beginning on January 1, 1937, and thereafter he shall contribute one per cent. Each employer shall withhold such contribution from the wages of his employees, shall show such deduction on his pay-roll records, and shall transmit all such contributions to the fund, pursuant to general rules of the commissioner.

Further amend the bill by changing the number of section 2 to 3.

Takes Effect. This act shall take effect on June 1, 1936.

The Senate re-assembled.

On motion of Senator Manson, the order whereby House Bill No. 468, An act making appropriations for and in aid of reconstruction and repair of public property, damaged or destroyed during the month of March, 1936, and for emergency expenditures for the protection of life and property during said flood, was referred to the Committee on Finance was vacated.

On motion of Senator Manson, the order whereby the foregoing bill was laid upon the table to be printed was vacated.

On motion of the same Senator, the following amendment was adopted.

Amend section 1 of the bill by striking out the word "two" in the first line and substituting in place thereof the word one; so that said section as amended will read:

1. *Appropriation.* A sum not to exceed one hundred thousand dollars is hereby raised, as hereinafter provided, and appropriated, for the reconstruction and repair of state, town or city property, other than highways, bridges and culverts, damaged or destroyed during the floods of March, 1936, and for emergency expenditures made by departments of the state government for the protection of life and property during said floods.

On motion of the same Senator, the rules were suspended and the bill was ordered to a third reading and passed.

RECESS

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk:

HOUSE MESSAGE

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 83, An act changing the definition of employer in the laws relative to unemployment compensation.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill, Senate Bill No. 85, An act relating to unemployment compensation.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bill and asks for a Committee of Conference, House Bill No. 468, An act making appropriations for and in aid of reconstruction and repair of public property, damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods.

And the Speaker has appointed as members of such committee of conference on the part of the House Messrs. Hunter of Hanover, Osborne of Sunapee and Perley of Lebanon.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a committee of conference on the foregoing bill.

Pursuant to the above motion, the President appointed as members on the part of the Senate Senators Cole and Calef.

RECESS

The Senate re-assembled.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has voted to adopt the report of the Committee of Conference on House Bill No. 468, An act making appropriations for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods, and has adopted the amendment proposed by the Committee of Conference.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 468, An act making appropriations for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods, recommended that the Senate recede from its position in the adoption of its amendment and that following amendment be adopted.

1. *Appropriation.* A sum not to exceed one hundred thirty thousand dollars is hereby raised, as hereinafter provided, and appropriated for the reconstruction and repair of State, town or city property, other than highways, bridges and culverts, damaged or destroyed during the floods of March, 1936, and for emergency expenditures made by departments of the State government for the protection of life and property during said floods.

Amend section 5 of said bill by striking out the words "Two hundred" in the fourth line and substituting in place thereof the words "one hundred thirty", so that said section as amended shall read as follows:

5. *Notes Authorized.* The state treasurer is hereby authorized, under the direction of the governor and council, to

borrow from time to time upon the credit of the state, for the purpose of carrying out the provisions of this act, sums not to exceed one hundred thirty thousand dollars in all and for that purpose may issue notes in the name and on behalf of the state of New Hampshire at such rates of interest and dates of maturity, not later than July 1, 1937, as the governor with the advice and consent of the council may approve. Such notes shall be in such form and such denominations as the governor, with the advice and consent of the council, may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes as countersigned by the governor, showing the number and amount of each note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such notes by direction of, and in such manner as, the governor and council deem most advantageous to the state. The proceeds of the sale of such notes shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrant for the payment, from the funds provided for by this act, of all sums expended or due for the purposes herein authorized. Said notes shall be charged against the so-called sinking fund constituted by chapter 126 of the Laws of 1931, and the interest thereon and principal thereof shall be paid therefrom. To the extent that such notes mature at times when there is insufficient money in the said sinking fund to pay such notes they may be extended or refunded as herein provided for original issue provided, however, that in determining the total amount authorized to be borrowed under this

section no account shall be made of duplications due to extensions and/or refundings.

E. H. HUNTER,
J. B. PERLEY,
L. L. OSBORNE,
House Conferees.

WILLIAM M. COLE,
AUSTIN L. CALEF,
Senate Conferees.

On a *viva voce* vote the report of the committee was accepted and the recommendations adopted.

RECESS

HOUSE MESSAGE

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk:

Mr. President:

The House of Representatives has passed the following joint resolution and bill in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 166, Joint resolution relating to direct relief.

House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936.

The message further stated that the House of Representatives has adopted the following resolution in which it asks the concurrence of the Honorable Senate:

Resolved, By the House of Representatives, the Senate concurring that the present session of the Legislature be brought to a final adjournment on Tuesday, May 12, 1936, at eleven o'clock in the afternoon and that all reports, bills and joint resolutions pending at that time in either branch of the Legislature be indefinitely postponed.

On motion of Senator Doe, the foregoing resolution was laid upon the table.

READ AND REFERRED

The following entitled joint resolution and bill sent up from the House of Representatives were read a first and second time, laid upon the table to be printed and referred to the Committee on Finance:

House Joint Resolution No. 166, Joint resolution relating to direct relief.

House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936.

On motion of Senator Cole, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

RECESS

The Senate re-assembled.

BILLS ENGROSSED

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

Senate Bill No. 85, An act relating to unemployment compensation.

House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the state damaged or destroyed during the floods of March, 1936.

House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods.

House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936.

On motion of Senator Harrington, the resoluton relating to final adjournment was taken from the table.

On motion of the same Senator, the following amendment was adopted:

Amend the resolution by striking out the words "Tuesday,

May 12, 1936 at eleven o'clock in the afternoon" and by inserting in lieu thereof the words "Wednesday, May 13, 1936, at two o'clock a. m."; so that the resolution as amended will read as follows:

Resolved, By the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to a final adjournment on Wednesday, May 13, 1936, at two o'clock a. m., and that all reports, bills and joint resolutions pending at that time in either branch of the Legislature be indefinitely postponed.

ORDER VACATED

Senator Barrett moved that the order whereby House Joint Resolution No. 166, An act relating to direct relief, was referred to the Committee on Finance be vacated.

On a *viva voce* vote the negative prevailed and the motion was lost.

Senator Foley demanded a roll call.

The question being stated. Shall the order be vacated?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Roberts, Bouthillier, Barrett, Foley and Martel.

The following named Senators voted in the negative: Senators Bailey, Sanborn, Manson, Wiley, Condon, Butler, Knowlton, Burbank, Carter, Marston, McLeod, Harrington, Doe, Calef, Cole and Brown.

Six Senators having voted in the affirmative and sixteen in the negative, the negative prevailed and the order to vacate was lost.

The Clerk proceeded to call the roll pursuant to a resolution adopted by the Senate.

The following named Senators were present:

Senators Kelley, Roberts, Bailey, Sanborn, Manson, Wiley, Alexander, Condon, Butler, Knowlton, Burbank, Carter, Bouthillier, Marston, McLeod, Harrington, Barrett, Foley, Martel, Doe, Calef, Cole, Brown and Dale.

On motion of Senator Brown, the Senate adjourned.

AFTERNOON

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk.

HOUSE MESSAGE

Mr. President:

The House of Representatives has voted to concur with the Honorable Senate in the adoption of its amendments to the following resolution:

Amend the resolution by striking out the words, "Tuesday, May 12, 1936, at eleven o'clock in the afternoon" and by inserting in lieu thereof the words "Wednesday, May 13, 1936, at two o'clock a. m.," so that the resolution as amended will read as follows:

Resolved, By the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to a final adjournment on Wednesday, May 13, 1936, at two o'clock a. m., and that 11 reports, bills and joint resolutions pending at that time in either branch of the Legislature be indefinitely postponed.

On motion of Senator Doe, the Senate adjourned until 2 a. m. Wednesday morning.

WEDNESDAY, MAY 13, 1936.

The Senate re-assembled.

The following message was received from the House of Representatives by its Clerk:

HOUSE MESSAGE

Mr. President:

In accordance with the concurrent resolution previously adopted that all bills and joint resolutions pending in either branch of the Legislature on Wednesday, May 13, at 2 o'clock a. m. be indefinitely postponed.

The following bill was indefinitely postponed: Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation.

The message further stated that the House of Representatives has adopted the following resolution, in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the special session and is ready to receive any communication he may be pleased to make.

On motion of Senator Cole, the Senate voted to concur with the House of Representatives in the adoption of the foregoing resolution and the President appointed as members on the part of the Senate Senators Doe, Calef, Knowlton, Butler, Manson and Sanborn.

GOVERNOR'S MESSAGE

His Excellency, Honorable H. Styles Bridges, then appeared and made the following communication to the Senate:

To the Honorable Senate:

I am informed by the joint committee of both branches of the Legislature that you have completed the business of this special session and are ready to adjourn. The bills that have been passed have already received executive approval and it therefore again becomes my duty to prorogue this body. Before I can make such pronouncement I wish to extend to you the sincere thanks of your Governor and Council and of the people of this State for the splendid service that you have performed here. In my message to you, I summarized in some detail the events which led up to the calling of this special session and called your attention to the duty that confronted us to make provision for the rehabilitation of our roads and bridges in the devastated regions of our State. I expressed the conviction that you would not entail any needless expenditure by a prolonged session yet would provide the necessary legislation embracing a method of raising the revenue required for reconstruction. You have acted with expedition. You have faced the financial problems involved

with a courage that reflects great credit on yourself and the people of our State, not leaving it for future generations to devise a method of paying for the catastrophe that we have recently experienced. I sincerely congratulate you one and all. By virtue of the authority vested in me, I do now hereby adjourn the Legislature to the last Wednesday in December in the year of our Lord one thousand nine hundred and thirty-six.

H. STYLES BRIDGES,
Governor.

And thereupon the President in accordance with the proclamation of His Excellency, the Governor, and by virtue of the authority vested in him declared the Senate adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and thirty-six.

BENJAMIN F. GREER,
Clerk.

A True Copy. Attest:

BENJAMIN F. GREER,
Clerk.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

SPECIAL SESSION, MAY, 1936

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

SPECIAL SESSION, MAY, 1936

TUESDAY, May 12, 1936

PROCLAMATION FOR A SPECIAL SESSION OF THE LEGISLATURE

Whereas, The welfare of the State requires the immediate assembling of the Legislature to consider the part the State should take in the rehabilitation of flood damage,

I, H. Styles Bridges, Governor, with the advice and consent of the Council, hereby summon the General Court to assemble at the State House, Tuesday, the twelfth day of May, 1936 at ten o'clock a. m.

H. STYLES BRIDGES,
Governor.

By His Excellency, the Governor, with the advice of the Council.

ENOCH D. FULLER,
Secretary of State.

In pursuance of the following proclamation, the House of Representatives having assembled in the capitol in the City of Concord, in said State, on Tuesday, May 12, 1936, being the day designated in the foregoing proclamation by His Excellency, the Governor, they were called to order by the Speaker.

Prayer was offered by the Chaplain.

The Clerk proceeded to call the roll and 385 members answering to their names a quorum was declared present.

ROCKINGHAM COUNTY

Auburn	Henry F. Dagan
Brentwood	John W. Stevens
Candia	Milton R. Stevens
Deerfield	Carl M. Fogg
Derry	Ernest L. Abbott
East Kingston	George M. Currier
	Oliver H. Hepworth
	Walter A. Pillsbury
	Alvin E. Foss
Epping	Jerry L. Thayer
Exeter	Corning Benton
	Frank M. Cilley
	Charles C. Russell
	Reginald C. Stevenson
Fremont	Austin E. Carlton
Greenland	Thomas J. Brackett
Hampstead	Adin S. Little
Hampton	Herbert Perkins
Hampton Falls	Louis B. Janvrin
Kingston	James A. Lyford
Londonderry	Wesley Adams
Newfields	Thomas R. Sheehy
Newington	Frederick M. Pickering
Newmarket	Leo J. Turcotte
North Hampton	Irving W. Marston
Northwood	William F. Mudge
Plaistow	J. William Peaslee
Portsmouth—	
Ward 1	Andrew J. Barrett
	Mary C. Dondero
	Patrick J. Kittredge
Ward 2	Charles A. Allen
	Richard G. Pray
	Fred Garland Tucker
	John H. Yeaton
Ward 3	Timothy J. Buckley
	James R. McNeil

Ward 4	Simon P. Harmon
Ward 5	Walter S. Abbott
	William T. Rose
Raymond	Roger E. Eliot
Rye	Walter G. Marston
Salem	Carl Manor
	Leonard B. Peever
Seabrook	Elihu T. Adams
South Hampton	Rufus B. Floyd
Stratham	Marshall S. Chase
Windham	Bessie Emerson

STRAFFORD COUNTY

Barrington	Clarence B. Locke
Dover—	
Ward 1	Thomas H. Keenan
	Albert J. Pomerleau
Ward 2	Philias J. Chabot
	Patrick J. Durkin
	William F. Howard
Ward 3	George W. Garland
	Haldimand W. Neal
Ward 4	Carroll E. Hall
	Francis Clyde Keefe
	Dennis M. McDonough
Ward 5	Edward Durnin
Durham	Oren V. Henderson
Farmington	William E. Gelinas
	Ernest E. Lefavour
Madbury	John S. Elliott
Milton	Stanley C. Tanner
Rochester—	
Ward 1	Thomas H. Gotts
Ward 2	George Y. Emerson
	Dennis E. Brennan
Ward 3	Rudolph G. Cartier
Ward 4	Louis S. Bergeron
	Hervey E. Turcotte

Ward 5	Spencer Dickinson
Ward 6	Sara E. Greenfield
	Ralph F. Seavey
Rollinsford	John M. Tighe
Somersworth—	
Ward 1	Placide J. Lagueux
Ward 2	John R. Hodsdon
Ward 3	Alfred J. Boucher
Ward 4	Frank Deschenes
	Edward L. Flanagan
Ward 5	Thomas P. Robinson
Strafford	William J. Elson

BELKNAP COUNTY

Alton	Oe Varney
Barnstead	Harry E. Little
Belmont	Fred H. Piper
Gilford	Perry E. Hunt
Laconia—	
Ward 1	Dana S. Beane
	James B. Dodge
Ward 2	Alfred L. Guay
Ward 4	Oscar L. Hoyt
	George C. Stafford
Ward 5	Alfred J. Cantin
	Arthur R. Merrill
Ward 6	Charles H. Dow
	Charles L. Simpson
Meredith	Edward S. Gordon
New Hampton	Frank C. Plastridge
Sanbornton	John S. Wallis
Tilton	Arthur K. Smart

CARROLL COUNTY

Bartlett	Scott C. W. Simpson
Conway	Burnham B. Davis
	Perley W. Mudgett
	George W. Russell

Effingham	John G. Thompson
Jackson	Arthur P. Gale
Madison	George A. Lyman
Ossipee	Mark H. Winkley
Sandwich	Charles B. Hoyt
Wakefield	Alden N. Young
Wolfeboro	Harold H. Hart

MERRIMACK COUNTY

Allenstown	Alcide Courtemanche
Andover	Oliver H. Munroe
Boscawen	Frank L. Reardon
Bow	Ernest W. Morgan
Bradford	Paul W. Danforth
Canterbury	William C. Tallman
Chichester	John L. T. Shaw
Concord—	
Ward 1	Charles P. Coakley
	Harry W. Matott
Ward 3	George W. Kemp
Ward 4	Robert O. Blood
	Arthur J. Boutwell
	Paul Amos Mansur
Ward 5	Harold H. Blake
	Edward A. Dame
Ward 6	George H. Nash
	Donald W. Saltmarsh
	Arthur F. Sturtevant
	John C. Tilton
Ward 7	Shirley Brunel
	Allen M. Freeman
	George Azro Maxham
	Craig Wylie
Ward 9	William J. Ahern
	Thomas F. Donovan
Danbury	Stephen J. Ford
Dunbarton	Francis H. Buffum
Epsom	Edward B. Demers

Franklin—	
Ward 1	Donald J. Piper
Ward 2	Emile Carignan
	Eusebe P. Lemire
Ward 3	Charles H. Bean, Jr.
	John Patrick Dempsey
Henniker	Fred A. Peaslee
Hooksett	Ephrem Lafond
Hopkinton	John S. Ball
Loudon	Charles L. Merrill
Newbury	Oscar A. Colburn
New London	Charles E. Shepard
Northfield	Dixon F. Vancore
Pembroke	Euclide Turgeon
	Foster G. Warren
Pittsfield	John H. Perkins
	Robert H. Sanderson
Salisbury	Burton F. Sanborn
Sutton	William B. Connor
Warner	Alfred S. Cloues
Wilmot	Ernest Howard

HILLSBOROUGH COUNTY

Amherst	Howard R. Locke
Antrim	Erwin D. Putnam
Bedford	Albert C. Hodgman
Brookline	James Herbert Gilson
Deering	Leroy H. Locke
Francestown	Joseph H. Chandler
Goffstown	Clarence J. Avery
	R. Robert Matheson
	William Sym
Greenville	Bernadette E. Charois
Hancock	Wendell D. Crowell
Hillsborough	George W. Boynton
	Bert L. Craine
Hollis	Henry A. Wilson

Hudson	Fred T. Goodwin
	Arthur W. Smith
Litchfield	John A. Reid
Manchester—	
Ward 1	Joel S. Daniels, Sr.
	Dana A. Emery
	Edward T. Knowlton
	Allan M. Wilson
Ward 2	Charles Henry Barnard
	Harry W. Bergholtz
	Perley W. Gage
	Kenneth F. Graf
	Wendell M. McIntire
Ward 3	Michael J. Dwyer
	John J. O'Reilly
	Michael A. Talty
	Jeremiah J. Tobin
Ward 4	James K. Clougherty
	William W. Corey
	William J. Fitzgerald
	Denis F. Mahoney
Ward 5	Stanley Joseph Betley
	William F. Clancy
	Patrick J. Creighton
	George T. Healy
	Martin L. Mahoney
	John C. O'Brien
	Patrick J. Sweeney
Ward 6	William J. Booth
	John G. Clancy
	Arthur J. Connelly
	John P. Jordan
	John Joseph Sullivan
Ward 7	Zoel F. Charland
	Francis X. Cote
	Francis A. Farrell
	Alcide R. Gagnon
	Alphee J. Peloquin
	Gedeon A. Turcotte

Ward 8	Joseph A. Bernier
	Frank J. Bolton
	Edward F. Bouthiette
	Joseph O. Gelinas
	Martin Holleran
	Peter J. McDonough
	J. Vincent Moran
	Walter J. T. Richard
Ward 9	John F. Driscoll
	Timothy F. Hayes
	Alfred H. Lavallee
Ward 10	Francis L. Gallagher
	Philippe Gaudreault
	Oscar E. Getz, Sr.
	John J. Kearns
Ward 11	Elmer D. Roukey
	Henry J. Van Vliet
Ward 12	Joseph P. Aubin
	George E. Desruisseaux
	Alpha J. Letendre
	Louis J. Soucy
Ward 13	Horace Brouillette
	J. Felix Daniel
	Thomas Ladouceur
	Lucien G. Lambert
	Wilfred S. Lariviere
Mason	Charles L. Barnes
Merrimack	Claude M. Maker
Milford	Gertrude N. Howison
	Fred T. Wadleigh
Mont Vernon	Willard P. Woods
Nashua—	
Ward 1	Stephen W. Bastow
	William J. Fowell
	Ovid F. Winslow
	Charles I. Woodbury
Ward 2	George E. Danforth
	Wilbrod E. Francoeur

Ward 3	John E. Bernard
	Frank Boilard
	John Letendre
Ward 4	John C. Barry
	John D. Dugan
Ward 5	Albert Maynard
Ward 6	Amedee W. Fournier
	Paul A. Moran
	Theodore O. Ravenelle
Ward 7	Thomas W. Hough
	William F. Maddox, Jr.
Ward 8	Arthur O. Burque
	Rodolphe Cormier
	James H. Glynn
	William A. Molloy
Ward 9	Paul E. Bouthillier
	Roland R. Desmarais
New Boston	Charles E. Baker
New Ipswich	William T. Thompson
Pelham	Albert H. Jones
Peterborough	George D. Cummings
	Forrest C. Mercer
Weare	Frank H. Peaslee
Wilton	Philip C. Heald

CHESHIRE COUNTY

Alstead	Henry LeRoy Estabrook
Chesterfield	Ralph C. Chickering
Dublin	Arthur T. Appleton
Fitzwilliam	Julius H. Firmin
Gilsum	William B. Hanson
Harrisville	John N. Clark
Hinsdale	Walker S. Kimball
Jaffrey	Lester F. Hammond
	James B. Perry
Keene—	
Ward 1	William J. Callahan
	Jerry Keating

Ward 2	Forrest W. Hall
	William E. Jones
Ward 3	Wilder F. Gates
	Cowling Hilton
Ward 4	Marquis O. Spaulding
	Clarence A. Wardwell
Ward 5	Carl D. Roche
Marlborough	Leon E. Wiswall
Marlow	Fred G. Huntley
Richmond	Stephen A. Bullock
Rindge	Harris H. Rice
Swanzey	William R. Granger
	Herman H. Perry
Troy	Don W. Randall
Walpole	John W. Graves
	Donald J. Kiniry
Westmoreland	Glenn E. Britton
Winchester	Arthur P. Read

SULLIVAN COUNTY

Charlestown	Charles S. Hutchins
Claremont	Herbert C. Chandler
	James D. Daley
	E. Earl Hosking
	Erwin W. Quimby
	Albert Stetson
	Edwin A. Thomas
	William L. Gaffney
Cornish	Eben M. Johnson
Croydon	Asa D. Cutting
Grantham	Wilfred A. Reney
Lempster	Fred A. Barton
Newport	Elsie Cora Bailey
	Maurice H. Cummings
	Maurice J. Downing
	Tharon I. Farmer
Plainfield	Palmer C. Read
Sunapee	Leo L. Osborne
Unity	George B. Cram

GRAFTON COUNTY

Bath	Amos N. Blandin
Benton	Walter J. Yeaton
Bethlehem	Harry A. Goodwin
Bristol	Willard S. H. Remick
Campton	Lester E. Mitchell
Canaan	Joseph L. Graham
Easton	Oliver L. Bowles
Enfield	Val M. Hardy
Franconia	Arthur W. Sawyer
Grafton	Clinton S. Williams
Hanover	Alfred W. Guyer
	Edgar Hayes Hunter
	Robert J. Putnam
Haverhill	Frank N. Keyser
	Herbert C. Merrill
	Rhett R. Scruggs
Holderness	Mark K. Marden
Lebanon	Roy C. Hathorn
	Florence Ward Hoyt
	Fred A. Jones
	Thomas J. McNamara
	Ralph N. Millen
	Joseph B. Perley
Lincoln	James A. Legassie
Lisbon	William E. Bishop
	Dwight H. Parker
Littleton	William A. Astle
	Herbert S. Lewis
	Charles E. Magoon
	George R. Simpson
Lyman	Anthony Burgault
Lyme	David A. Grant
Orford	Edgar C. Lufkin
Plymouth	Richard J. McLean
	Harry A. Merrill
Warren	Chester B. Averill
Woodstock	Harry D. Sawyer

COOS COUNTY

Berlin—	
Ward 1	John F. Bagley
	Margaret H. Barden
	Joseph F. Bell
	Elisabeth H. Mason
	Henry A. Smith
Ward 2	Harry L. Henderson
	Albert G. Palmer
	Harold C. Sullivan
Ward 3	Hilda C. F. Brungot
	Otto J. A. Dahl
	Albert E. Martel
Ward 4	Esther C. Bixby
	Alphonsine M. Dugas
	Letitia Jane Myler
Colebrook	Darwin Lombard
	Louis Ramsay
Columbia	Lynn M. Gray
Dalton	Ernest E. Whitcomb
Dummer	Bessie G. Stiles
Gorham	Charles A. Chandler
	Merton M. Willis
Jefferson	George W. Towle
Lancaster	Lula J. A. Morris
	William H. Thompson
Milan	Frank M. Hancock
Northumberland	George William Cole
	Clarence A. Marshall
Pittsburg	Willie N. Judd
Stark	George J. Phelan
Stewartstown	Albert L. Fuller
Stratford	Edward B. Fuller
Whitefield	George W. Whitcher

RESOLUTIONS

On motion of Mr. Wilson of Manchester,

Resolved, That the Honorable Senate be notified that the

House of Representatives has assembled in accordance with the proclamation of His Excellency, the Governor, and is now ready to proceed with the business of the session.

On motion of Mr. Kearns of Manchester.

Resolved, By the House of Representatives, the Senate concurring, that the joint rules of the last regular session of the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered, except that no bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business, shall be received in either branch of the Legislature, unless reported by the Committee on Rules of either branch: provided that this rule may be suspended in either house whenever a two thirds of the whole number of members shall, on division, take vote in favor thereof, and not otherwise.

The question being on the resolution.

(Discussion ensued)

Mr. Perley of Lebanon offered the following amendment:

Amend said resolution by striking out the words "claim outstanding on the first day of the session"; further amend by striking out the words "two thirds" and inserting in place thereof the word "majority". Further amend by inserting after the word "members" the word "present".

The question being on the amendments.

(Discussion ensued)

Mr. Kearns of Manchester accepted the amendments.

The resolution as amended was then adopted.

On motion of Mr. Hunter of Hanover.

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

On motion of Mr. Osborne of Sunapee.

Resolved, That the rules of the House for the last session be the rules of the House for the present session until otherwise ordered by the House.

On motion of Mr. Ahern of Concord.

Resolved, That unless otherwise ordered, the hours of assembling of the House be at 10 o'clock in the forenoon and 2 o'clock in the afternoon, Eastern Standard Time.

On motion of Mr. Callahan of Keene.

Resolved, That a committee of three be appointed by the Speaker to make the necessary assignment of rooms for committee hearings.

The Speaker appointed as members of such committee Messrs. Callahan of Keene, Ahern of Concord, and Lombard of Colebrook.

Mr. Guay of Laconia offered the following resolution.

Resolved, That the Sergeant-at-Arms be instructed to procure a sufficient number of copies of the Manchester Union and the Concord Monitor for distribution of one copy to each member of the House on each working day of the special session.

On a *viva voce* vote the resolution was not adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

Resolved, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency the Governor the Senate has assembled and is now ready to proceed with the business of the Special Session.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following resolution, sent up from the House of Representatives:

Resolved, By the House of Representatives, the Senate concurring, that the joint rules of the last session of the Legislature be the joint rules of this special session of the Legislature unless otherwise ordered except that no bill, joint resolution, or petition relating to new business shall be received in either branch of the Legislature unless reported by the Committee on Rules of either branch provided that this rule may be suspended in either House whenever majority

of the whole number of members present shall on division take vote in favor thereof and not otherwise.

The message also announced that the Senate has passed the following resolution:

Resolved, That the House of Representatives be notified that the Senate will be ready to meet the House in joint convention at 11:00 o'clock for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

IN CONVENTION

The Honorable Senate then came in and the two branches being in convention, His Excellency the Governor appeared attended by the Honorable Council and delivered the following message.

GOVERNOR'S MESSAGE

Members of the General Court:

You have been requested to meet here under that provision of the Constitution which empowers the Chief Executive, with the advice of his Council, to convene the Legislature in Special Session whenever the welfare of the State requires it.

I am informed that this will be the sixth extraordinary session of the Legislature in the constitutional history of the State. But it is the second within ten years to provide for reconstruction following floods. That fact alone requires us in performance of our public duty to act promptly for current needs and to encourage all efforts intended to restrict the possibility of recurrence of such a disaster.

Floods of March 1936, whether or not they were the greatest the State has ever known, caused the greatest damage in our recorded history.

The first flood of 1936 seems now to have been a sort of rehearsal for the second which brought to New Hampshire its great problem of reconstruction. Property damage can be repaired, services can be replaced. But there is no way to recover the four lives lost. We are thankful that loss of life

was no greater. Rehabilitation can never completely overcome the anguish of those who lost homes they had come to love. For a moment I should like to recall for you some of the scenes of that historic time.

As flood waters revealed their threat to people, property and services, on the 18th of March the office of the Governor became a center into which information was poured, appeals for aid and assistance were directed, and out of which co-ordinated relief, rescue and protection of lives and property was attempted.

My own office force was assisted by other State officials and private citizens. Some I drafted. Others came voluntarily. We kept a minute by minute record of the efforts of your state government to be of service to its political subdivisions and to its people. This, together with a moving picture record, can be considered perhaps one of the most valuable documents from many points of view which is numbered among our State papers. They will be invaluable should emergency arise again, but I trust we never shall need to use them.

To the office of the Governor came hundreds of reports. Many of the reports were later found to be only rumors, although presented in sincere effort to be helpful.

We had reports of bridges going out that never went out. We had reports of dams breaking that withstood the force of torrents never anticipated. We learned of lives being lost where people were early removed from danger.

Likewise we were informed accurately of things that did happen. We knew of State institutions being flooded that had never known the leakage of water before. We knew of power houses abandoned which had never failed to light communities. We knew of railroad services being cancelled. We knew of communities being cut off from each other even before the connecting highways were flooded. We knew of cities losing gas service where homes depended upon that service for fuel, light and heat. We knew of bridges collapsing, of churches endangered, of schools inundated. At the same time we knew of thousands working feverishly in

other parts of the State, in less comfortable circumstances than our own, to save lives, homes, factories, cattle, dams, bridges, railroads, gas and power plants, and other property.

Through it all the courage of our people never faltered. Lips quivered as homes became awash, perhaps, but the fight went on. Many are the tales of heroism which could be told. As we watched the devastation taking place we were awed by a great demonstration of nature. Although emotions strange to people of New Hampshire seized us, there was expressed constantly a vigorous determination to recover what was being lost. That is the spirit we should hold here today.

It was immediately evident that damage was to be terrific. Problems raised without warning were of two kinds. Some were immediate. Others had to do with future action and reconstruction.

One of the first official acts of the Governor was to designate the American Red Cross as the official agency to extend and direct relief to our people. I cannot speak too highly of the promptness with which the Red Cross mobilized for the emergency, extended its helping hand into every nook and corner of the State, brought immediate relief to those in need and later, inspired by the visit of its national president, Admiral Cary T. Grayson, swung into the great, but less romantic task of rehabilitation.

To the Red Cross Relief Fund New Hampshire citizens themselves contributed more than $90,000.

More than 3,300 families were affected.

On April 30, 2,770 cases had been registered for aid.

Approximately 300 names of farmers were on the list.

On April 30th, 959 cases had been closed because aid was no longer needed.

During the emergency period 17,759 persons were fed.

Cost of the emergency period including both expenditures and commitments was $23,000.

Approximately $50,000 has been expended for rehabilitation of families.

Total expenditures and commitments on May 4 was $73,131.46.

One-third of the total cases have now been handled, two-thirds remain for further assistance in rehabilitation.

The Red Cross has met, or will provide for, rehabilitation needs where individual means or credit are not adequate.

The State Relief Division reports that the effect of the floods on the general relief load of the State was practically negligible. That more people were not forced to seek relief through the established poor relief agncies was largely due to the work of the Red Cross. Such employment as came to relief cases in flood reconstruction work was of short duration and failed to change relief status except in a very few cases. Border-line cases, on the other hand, appear to have benefited more substantially by employment.

Those given temporary employment, however, were far outnumbered by those who temporarily lost wages.

For the rescue, relief and aid to people and for protection of property, it was necessary to supplement local organizations with the National Guard in several communities. The services of officers and men, organized, trained and equipped, was of inestimable value. Federal agencies, including the National Emergency Council, the Works Progress Administration, Civilian Conservation Corps, Rural Resettlement Administration and the Public Works Administration, served effectively in the emergency, and deserve the appreciation of the State. Veterans organizations performed voluntary and meritorious service. Other private agencies assisted.

At the Executive Offices we appreciated the cooperation of all agencies for dissemination of information and communication. Newspapers of the State and radio systems, established broadcasters, and amateurs, with short wave sets, performed a meritorious service.

To conserve an uncertain motor fuel supply, we curtailed the sale of gasoline, but removed the restriction the moment we were assured it was no longer necessary.

At one time we feared food shortage because we could not be sure when certain arteries of travel might be open. We learned what it means to be without railroad service, even for a short time. We appreciated the extraordinary steps taken

to restore rail service and the emergency services of other transportation agencies.

We appreciated the promptness with which we were assured of availability of foodstuffs in transit in railway yards but were glad it did not become necessary to commandeer these things.

We feared a fuel shortage if carload freight shipments were to be long delayed and by survey determined the needs of every public and private hospital in the State and every institution for the care of people. We were prepared for emergency deliveries, but these were not necessary.

Epidemic safeguards and immediate health needs were met through cooperation of State and local health authorities, local hospitals, the medical profession and scores of nurses.

While we were meeting immediate needs, we were also acutely aware of the problem of reconstruction, ahead.

Two courses were open to us. One was to immediately summon the Legislature and ask for a blank check with which to meet undetermined needs. Another was to make a careful check of needs before legislative authority was sought.

The time required to complete the necessary surveys, to determine with reasonable accuracy the amount of public funds necessary for reconstruction, has justified our decision to know the facts before we acted.

To determine the facts and correlate data the New Hampshire Flood Reconstruction Council was organized by the Governor and Council. It was non-partisan in character. Its membership was made up of individuals representative of the stricken areas and of the State as a whole.

For the comprehensive and most authoritative report on flood effects produced by any state in the country, the State owes the more than 200 men and women, who participated in this work, its gratitude. Their formal report presents only a summary of the basic records accumulated. The report has been submitted to you but I would like to review here its major findings.

Direct damage sustained as a result of the floods totaled about ten and one-half million dollars. This is exclusive of

such indirect damage as loss of wages, losses of use and occupancy, loss of trade, suspension of business. Indirect losses were substantial and might conceivably equal or exceed the direct losses. This total of direct damage is summarized as follows:

Highways and bridges	$4,256,900
Other public property	269,200
Utilities and railroads	1,935,958
Industries	2,868,857
Recreational facilities	10,000
Farms and rural property	426,695
Other private property	650,000

We made an exact analysis of agricultural losses. This included soil studies by the University of New Hampshire Agricultural Experiment Station. Farmers have been advised on the treatment of land and the best and most profitable crops to raise this year. Many have been assisted in rehabilitation.

Provision was made for free legal counsel to flood damaged industries or individuals.

Where loans appeared to be needed, regular banking channels and federal loaning agencies were sought in an effort to bring the agency to the individual and thus hasten reconstruction. The Federal Housing Administration, the Reconstruction Finance Corporation, the Farm Credit Administration, including the Federal Land Banks, the Concord Production Credit Association, Emergency Seed and Crop Corporation and Rural Resettlement Administration have assisted with valuable services. For New Hampshire industries a state branch of the Reconstruction Finance Corporation was established in Concord.

A committee on utilities determined damage to property and equipment, studied plans for repairs, replacements and resumption of service, and assisted in emergency services.

We were concerned at the effect that property losses might have on the tax lists this year, particularly in towns and cities. Before the Legislature met we wanted to know whether communities were to need assistance, in what direc-

tions and in what amounts. As careful and thorough an examination as could be made indicates that property valuations for local tax purposes will be decreased by about $1,500,000 because of flood damage. The loss in inventory value of live stock and stock in trade is between $500,000 and $600,000. This is expected to be replaced before another tax period.

The conclusion was reached by the Flood Reconstruction Council that the only state financial assistance which is needed is that necessary for the repair and reconstruction of highways and bridges. Total damage, at first estimated to exceed $5,000,000 has been reduced by re-checking and re-survey to $4,256,900. To avoid confusion I ought to say that this estimate varies a little as new figures and plans are worked out. It is as nearly correct as can be determined for this purpose. That this reconstruction is necessary for the convenience of our own citizens goes without question. That it should be done promptly as an aid to our now very substantial recreational industry, also stands unquestioned.

Subsequent to the report of the Flood Council, it has been pointed out that the State should give consideration to local communities for damage to public property, outside of highways and bridges. The Flood Council studied this matter, but felt that the damage to this class of property would, in all probability, be cared for through WPA projects, sponsored by the various communities. I request a small appropriation to cover the emergency expenditures of the State, made with the authority of the Governor and Council. We wrote no item for flood expenses into our regular budget last year.

When we set out to measure the flood damage, we determined that, so far as it rested within our power to do so, we would accomplish a planned reconstruction which would eliminate duplications of effort and expense, provide better accommodations if this could be done within reasonable bounds. This effort should be continued as suggested. We also determined to do everything in our power to prevent another similar disaster.

At your regular session, you enacted into law the state

water resources program. We anticipated Federal assistance in its construction. The floods have demonstrated the value of such a program. Obviously Federal cooperation is necessary if the broad program which you envisioned is to be completed in the near future. If this program is going forward, we would want to avoid expensive reconstruction in areas which may become storage reservoirs.

To advance the program, the Water Resources Board filed applications with the Federal Public Works Administration, seeking funds for several projects. The projects have been approved, but no funds have been allocated for construction.

Grants have been made through the Emergency Relief Administration for preliminary survey and design work on the Blackwater and Suncook Ponds sites, to the extent of approximately $20,000.

United States Army engineers, as a result of an act of Congress, are now at work in New Hampshire on surveys. They are cooperating with the Water Resources Board, and have been given every cooperation of our several State departments. Several bills for flood control projects, and which carry allocations for New Hampshire, are now pending in Congress.

Cooperating with the State of Vermont, we have named an Interstate Committee to study bridge needs of the Connecticut River Valley.

In addition to determining facts, we have made a very careful re-examination of all available funds to determine whether we could accomplish reconstruction without resort to further appropriations. This cannot be done.

Through the State Public Works Office, local communities have been assisted in filing 202 highway and bridge projects with the Federal WPA of a total value of $1,552,381, of which $1,416,999 was requested of WPA. Twenty-seven other projects for repair of other public property at a cost of $91,682, of which the WPA was asked to provide $73,865. This accounts for a total request from the WPA of $1,490,-864, exclusive of highway applications filed direct by the cities of Manchester and Keene, and by those cities and

Nashua for repairs on public property, other than highways. Other applications may be submitted.

To the extent that these construction jobs are undertaken by WPA, the direct cost of reconstruction to cities, towns and the State will be reduced.

We determined the extent of state financing needed to be $2,000,000 by the following method. The estimated damage was $4,256,900.

We have estimated the following revenues as available for reconstruction:

50% aid on Federal aid bridges from Bureau of Public Roads	$100,000
WPA Assistance to towns for road repair	500,000
Anticipated additional Federal aid (WPA or PWA) for trunk line, State aid and town bridges	500,000
Part of 1929 bond Act issued for trunk line reconstruction, used for construction of trunk line and State aid bridges	500,000
Joint state and town "town road aid" funds used for town road repair if agreeable to the towns	250,000
Towns contribution 1/8 of 1% of assessed valuation	500,000
Total	$2,350,000

If we deduct these estimated revenues from the damage total, the difference of $1,906,900 represents the amount of new money needed.

It was therefore concluded that authority should be granted to borrow, as planned, on short term notes, a maximum amount of $2,000,000.

The State Highway Department recommends that the $2,000,000 borrowing be increased $500,000 to provide for the uncertainty of funds from other sources planned for.

I am informed by the Highway Department that if the $500,000 of 1929 bond act money, taken from the $1,000,000 of bonds issued this year as the last in the eight year program of trunk line reconstruction, is used now for flood purposes, the State will be unable to meet the regular 1936 and 1937

Federal aid. This Federal aid is granted to us on the basis of the State matching the Federal funds dollar for dollar.

Having determined the need, the next question was how to finance repair. While I have always advocated the "pay-as-you-go" policy for the State, that is, current expenditures met by current revenues, I believe it is entirely proper for the State to borrow to repair the damage caused by any great calamity, providing however, that a plan is devised to provide for the payment and retiring of the amount so borrowed. After consideration of every plan suggested, weighing fact against fact, the Reconstruction Flood Council recommends the levy of an additional cent of gasoline tax for a period not exceeding three years. In the meantime to borrow as needed, under the recommended plan, up to a maximum of $2,000,000 to be paid off through this tax. If this plan is adopted, and it is unnecessary to issue any portion of this loan, you may rest assured it will not be issued. Because it is believed the State can borrow money cheaper that way, it is recommended that short term notes be issued.

Last year each cent of gasoline tax produced some over $700,000 in revenue to the State. If the proposed additional cent produces as much revenue, it will cover interest and principal retirements, and permit payment of the debt and the repeal of this tax within three years.

It is my belief that we should not borrow one single cent of money for reconstruction, or any other purpose, that we cannot honestly say we can pay back. It is sound business, and absolutely essential, to preserve State credit, to continue our State policy of providing a method to retire debts we incur.

Repayment of funds borrowed by increasing the road toll one cent was the policy pursued in 1927, when reconstruction followed that flood, by action of the Legislature taken in a single day. That legislative session authorized borrowings up to $3,000,000. Approximately $1,600,000 of bonds were actually issued, though the total expended on flood reconstruction was $2,622,622.

We can thank the reconstruction which took place after

the 1927 flood for having saved us much damage this year. Heavier bridges, which replaced those destroyed on the state system in 1927, stayed with us this year.

The floods of 1936 were far more general in New Hampshire than the one of 1927. Only seventeen towns escaped flood damage to highways in 1936. Far greater damage to town roads and to town bridges was sustained in 1936 than in 1927.

The highway department explains that due to the fact that a great number of towns and cities never reported their flood damage ,(in 1927), because it was less than 1/5 of the valuation, in which case the town paid all the damage. The total cost of the flood in the State is unknown and cannot be computed, due to the fact that the towns, in making their annual returns to the State Tax Commission, failed to segregate flood damage from their annual town road expenditures.

Damage to town roads in 1927, as computed for me by the State Highway Department, was approximately $888,383, indicating that damage to town roads in the 1936 floods was about three and a half times greater. Our highway and bridge damage this year was divided as follows:

State roads and bridges $1,229,400
Town roads 3,027,500

It is obvious that this damage to town roads is too great for many communities to bear alone, in view of the very much greater burden now being carried by local communities because of the unemployment of our citizens in recent years.

It is believed desirable that the rule for state aid to towns and cities be laid down in the statute. In 1927 the rule established was to grant assistance where the cost exceeded one-fifth of one per cent of valuation. It is believed the grant should be more substantial this time. The Reconstruction Flood Council recommend that the State contribution be made on the basis that no town shall be required to expend on its own account for flood repair to highways and bridges, a sum in excess of one-eighth of one per cent of assessed valuation, and that the Governor and Council be authorized to increase the state aid where application of the rule would

produce a debt beyond the legal debt limitation of any town. This apportionment of state aid seems to be wholly reasonable.

Under this formula only forty-nine towns, where damage occurred, appear to have had so little loss in proportion to assessed valuation that they will receive no state aid. State aid would be extended to more than one hundred and fifty towns and cities.

This program is submitted to you as the result of the most thorough study of an emergency program undertaken by New Hampshire. The plan recognized as a basic essential of true planning the determination of basic need. It has taken into account every known agency for other assistance. It represents a program which will permit reconstruction and provide for prompt and economical liquidation of emergency borrowings.

I am aware of the fact that there is opposition to the recommended increase in the gasoline tax at this time. As responsible public officials, we are faced, not with theory, but with realities. Either the State will assist the towns and cities to carry the cost of needed reconstruction, or the towns and cities must carry the burden alone, over and above what is done by the WPA, and that has been taken into account in the plan submitted to you. If the towns and cities are to carry the burden alone, it means increased tax burdens directly placed on every home, every store, every factory, every farm.

Let me remind you that almost 90 per cent of the property taxpayers' local bill represent local spendings in his own community, and that taxes on real property in New Hampshire, as elsewhere, are staggering.

We will be derelict in public duty if we should permit any action here to accelerate the increase in property taxation by failing to lift as great a portion of the flood damage from local communities as we can afford to do through the equalizing influence of state taxation.

The gasoline tax is collected day by day, as the motorist uses the road, and measured by his use of the road, and is

the only method by which we receive a contribution for road use from the hundreds of thousands of out-of-state guests, who travel through our state. As the proceeds of a gasoline tax are received, borrowings can be liquidated month by month, thereby reducing the cost of borrowing the money, and advancing more rapidly the time when the emergency tax can be discontinued completely.

It is argued that the flood damage should be repaired without any cost to the people of the State. That it should be done by economies. There are no major economies which I know with respect to our highway program of construction, reconstruction and maintenance that will have any substantial effect on our total expenditures unless we are ready to adopt a policy that our roads, now built, are to be permitted to wear away. That would not be economy. It would be economic suicide for a recreational State like New Hampshire, to say nothing of the comforts and convenience and needs of our own people.

Let us provide the funds to adequately rebuild and reconstruct roads and bridges in the stricken areas, securing all the help that we can from Federal Agencies. I always have been, and I am today, for a pay-as-you-go policy, as far as current expenditures are concerned, but in the event of a great disaster such as the 1936 flood which was the greatest calamity our State of New Hampshire has ever suffered, I believe it wholly proper that the money be borrowed to pay for reconstruction work, provided however that some method be enacted into law providing for the retirement of indebtedness created for this purpose. You therefore have before you a two-fold problem. First, to provide the funds necessary for reconstruction. Secondly, to provide a method for payment of the same.

In the regular session of 1935 this Legislature approved one of the most forward-looking, progressive, constructive programs enacted in many years. By your foresight you planned the fundamentals which even now constitute our chief source of hope that such a disaster shall never again visit our State.

Under the same constitution which gave me, as Governor, the authority to summon you here, the supreme power of legislation was vested in you as members of the General Court. That constitution invests in you the authority to enact such legislation, within the limits of the constitution itself, as you shall deem to be for the benefit and welfare of the State.

I hope there may be enacted here a sound program, that your action will be prompt. I hope we may accomplish our objective in a one day session, and that by your actions you will add to the splendid record written by you in your deliberations a year ago.

I have endeavored to place the facts before you with the recommendations of the Reconstruction Flood Council for your consideration.

I have confidence that by your action a sound and constructive program will be enacted.

Let me add that it has been a great pleasure for me, as Chief Executive of this State, to work with you as a Legislature. Your cooperation has been of tremendous assistance to me, and the record you have written is one of which you can be justly proud.

On motion of Senator Harrington of District No. 16 the convention rose.

HOUSE

Mr. Wilson of Manchester moved that the rules be suspended to allow of the introduction of bills from a committee which had not previously been advertised in the Journal.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

COMMITTEE REPORTS

Mr. Wilson of Manchester for the Committee on Rules, to whom was referred House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the State dam-

aged or destroyed during the floods of March, 1936, reported the same with the recommendation that the bill be referred to a special committee consisting of the Judiciary, Appropriations and Ways and Means Committees.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to a joint committee consisting of the Committees on Judiciary, Appropriations, and Ways and Means.

Mr. Keefe of Dover moved that the rules be suspended, the printing of the bill dispensed with, and the bill referred to a joint committee without advertising in the Journal.

The question being on the motion.

Mr. McDonough of Dover asked for a division.

A division being taken the vote was declared to be manifestly in the affirmative and the motion prevailed.

Mr. McDonough of Dover demanded the Yeas and Nays but subsequently withdrew his demand.

Mr. Wilson of Manchester for the Committee on Rules to whom was referred House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March 1936, and for emergency expenditures for the protection of life and property during said floods, with the recommendation that the bill be referred to a special committee consisting of the Committees on Judiciary, Appropriations and Ways and Means.

The report was accepted and the bill read a first and second time.

On motion of Mr. Kearns of Manchester the printing of the bill was dispensed with.

The bill was then referred to a special committee consisting of the Committees on Judiciary, Appropriations and Ways and Means without advertising in the Journal.

RESOLUTIONS

On motion of Mr. Nash of Concord.

Resolved, That this House having learned with sorrow of the death of William A. Lee of Concord, a member of this

House, that the Speaker appoint a committee of three to prepare suitable resolutions upon the sad event.

The Speaker appointed as members of such committee Messrs. Nash of Concord, Ahern of Concord, and Blood of Concord.

On motion of Mr. Van Vliet of Manchester.

WHEREAS, The House has learned with deep regret of the death of Representative Bernard T. McLaughlin of Manchester, be it

Resolved, That a committee of three be appointed to prepare suitable resolutions and that the Clerk be instructed to transmit a copy of these resolutions to his bereaved family.

The Speaker appointed as members of such committee Messrs. Van Vliet of Manchester, Kearns of Manchester and Sullivan of Manchester.

On motion of Mr. Little of Barnstead.

WHEREAS, The House of Representatives has learned with deep sorrow of the death of Ralph G. Page, a member of this House from Gilmanton; therefore, be it

Resolved, That the members extend their heartfelt sympathy to his family in their bereavement, and

Be it further resolved, That the Clerk transmit a copy of these resolutions to the bereaved family.

On motion of Mr. Little of Barnstead.

WHEREAS, The House of Representatives has learned with deep sorrow of the death of Wm. G. Cook, a member of this House, from Rumney; therefore be it

Resolved, That the members extend their heartfelt sympathy to his family in their bereavement; and

Be it further resolved, That the Clerk transmit a copy of these resolutions to the bereaved family.

On motion of Mr. Hart of Wolfeboro.

WHEREAS, The House has learned with deep sorrow of the death of the Honorable Stephen W. Clow, a member of this House, therefor be it

Resolved, That a committee of three be appointed to draw up suitable resolutions and a copy be sent to the bereaved family.

The Speaker appointed as members of such committee Messrs. Hart of Wolfeboro, Simpson of Bartlett and Winkley of Ossipee.

On motion of Mr. Hart of Wolfeboro.

Resolved, That each member of the House of Representatives be required to fill out, sign and deposit with the Clerk of the House, each day upon which he is in attendance at this special session of the Legislature, commencing with May 13, a card to be furnished by the Clerk, and that the Clerk be instructed to make up his roll of attendance for compensation from such cards, and that each member be paid for attendance only for those days for which he has signed and deposited such card with the Clerk, except that every member who is present at the roll call held May 12, or shall notify the Clerk of his attendance prior to adjournment on May 12, shall be entitled to compensation for that day.

APPOINTMENT

The Clerk announced the appointment of Howard H. Hamlin of Claremont as assistant clerk *pro tem.*

Howard R. Locke, of Amherst, elected representative to fill the vacancy caused by the death of Representative Benjamin F. McNamee having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

The Speaker announced the appointment of Mr. Hart, of Wolfeboro, as a member of the Committee on Appropriations, in place of Mr. Clow of Wolfeboro deceased.

On motion of Mr. Keefe of Dover at 12:45 o'clock the House took a recess until 4 o'clock.

(After recess)

The House was called to order.

RESOLUTIONS

On motion of Mr. Sullivan of Manchester.

WHEREAS, The House has learned with deep regret of the death of Representative Daniel F. Healy of Manchester, be it

Resolved, That a committee of five be appointed to prepare suitable resolutions and that the Clerk be instructed to transmit a copy of these resolutions to his bereaved family.

The Speaker appointed as members of such committee Messrs. Sullivan, Clancy, Jordan, Booth and Connelly of Manchester.

Mr. Booth of Manchester offered the following resolutions.

WHEREAS, The House of Representatives has learned with deep sorrow of the death of Daniel F. Healy, Representative from Manchester, therefore

Be it resolved, That the members extend their heartfelt sympathy to the bereaved family; and

Be it further resolved, That the Clerk transmit to the family a copy of these resolutions.

WILLIAM BOOTH,
JOHN J. SULLIVAN,
JOHN G. CLANCY,
JOHN JORDAN,
ARTHUR CONNELLY,
The Committee.

On a *viva voce* vote the resolutions were adopted.

Mr. Locke of Amherst offered the following resolution.

Resolved, That a committee be appointed to prepare resolutions on the death of Representative Benjamin F. McNamee of Amherst.

The Speaker appointed as members of such committee Messrs. Locke of Amherst, Wadleigh of Milford, and Woods of Mont Vernon.

Mr. Nash of Concord presented the following resolution.

WHEREAS, This House has learned with sorrow of the passing of William A. Lee of Concord, and,

WHEREAS, His service as a legislator extended over a long period of years and,

WHEREAS, His interest in the public welfare was active and helpful throughout a life which was filled with valuable service as a good citizen and able official:

Be it resolved, That the House of Representatives hereby express its appreciation of his fine qualities of service to the

state, and that we extend to his family sincere sympathy in their bereavement.

GEO. H. NASH,
WILLIAM J. AHERN,
ROBERT O. BLOOD.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Talty of Manchester

Resolved, That whereas the House has learned with sadness of the death of John J. Barry of ward 3, Manchester, that a committee of five be appointed to draw up suitable resolutions.

The Speaker names as members of such committee, Messrs. Talty, Dwyer, Tobin, O'Reilly and Mahoney of Manchester.

Mr. Talty of Manchester offered the following resolution:

WHEREAS, The House of Representatives has learned with deep sorrow of the death of John J. Barry, Representative from Manchester, therefore

Be it resolved, That the members extend their heartfelt sympathy to the bereaved family; and

Be it further resolved, That the Clerk transmit to the family a copy of these resolutions.

MICHAEL A. TALTY,
MICHAEL J. DWYER,
JEREMIAH TOBIN,
JOHN J. O'REILLY,
DENIS MAHONEY,
Committee.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Wilson of Manchester the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Osborne of Sunapee for the Joint Committee on Judiciary, Appropriations and Ways and Means to whom was referred House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the State damaged or destroyed during the floods of March, 1936, reported the same

with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 4 and 5 and inserting in place thereof the following:

4. *Bonds Authorized.* The state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state, for the purpose of carrying into effect the provisions of this act, sums not to exceed two million dollars in all and for that purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council at the time of approval of the issue, said interest to be payable semi-annually. The maturity dates of such bonds and notes shall be not later than December 31, 1952. Such bonds and notes shall be in such form and such denominations and with such provisions for call or redemption as the governor and council may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds and notes as countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, showing the number thereof, the name of the persons to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds and notes by direction of, and in such manner as, the governor and council deem most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrant for the payment, from the funds provided for by this act, of all sums expended or due for the purposes herein authorized.

5. *Short Term Notes.* Prior to the issuance of bonds

hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans to be refunded by the issuance of the bonds hereunder, provided however that at no one time shall the indebtedness of the state on such short term loans exceed the sum of two million dollars.

6. *Motor Vehicle Road Toll.* Beginning with the final payment of the bonds provided for by chapter 41 of the Laws of 1929, as amended by chapter 151 of the Laws of 1933, the additional road toll of one cent per gallon, provided for in section 8 of said chapter 41, shall be continued in full force and effect until the final payment of the bonds and notes provided for by this act. Such additional motor vehicle road toll shall be collected in the manner now provided. A separate account of such additional motor vehicle road toll shall be kept by the state treasurer to which he shall add from time to time, at the direction of the governor acting with the advice and consent of the council, such sums from the separate account provided for by said chapter 41 as are not reasonably necessary for the payment of the bonds provided for by said chapter. The funds so held shall be used at the discretion of the governor, with the approval of the council, to pay the interest and principal of the bonds and notes provided for by this act. To the extent that said funds are insufficient, at any time, to pay the interest and principal due on any bonds and notes provided for by this act the governor shall draw his warrant upon the general highway fund for the payment thereof. Upon the final payment of the bonds and notes which may be issued under the authority of this act the governor and council shall forthwith by proclamation terminate the further collection of the additional motor vehicle road toll hereby provided.

Further amend said bill by renumbering section 6 to section 7.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Wilson of Manchester the further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Molloy of Nashua moved that the bill and the accompanying amendment be indefinitely postponed.

The question being on the motion of Mr. Molloy.

(Discussion ensued)

Mr. Molloy of Nashua withdrew his motion and moved that the bill and amendment be laid upon the table.

Mr. Callahan of Keene raised the point of order that the member had no right to interrupt the speaker and offer another motion.

The Speaker ruled the point well taken.

The question being on the motion of Mr. Molloy of Nashua that the bill be indefinitely postponed.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

On a *viva voce* vote the amendment was adopted.

Mr. Hoit of Sandwich moved to amend by adding after the word March the words, April and May.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

On motion of Mr. Keefe of Dover the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Brouillette of Manchester moved that the Committee on Rules be instructed to report all bills in their hands immediately but subsequently withdrew his motion.

Mr. Shaw of Chichester for the Special Committee consisting of the Judiciary, Appropriations, and Ways and Means Committees, to whom was referred House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during

said floods, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being

Shall the bill be read a third time?

(Discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Callahan of Keene the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

Senate Bill No. 83, An act changing the definition of employer in the laws relative to unemployment compensation.

SENATE BILLS READ AND REFERRED

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the bill dispensed with.

Senate Bill No. 83, An act changing the definition of employer in the laws relative to unemployment compensation.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the bill dispensed with.

At 6:20 o'clock the House took a recess.

(After recess)

The House was called to order.

Mr. Wilson of Manchester moved that the rules be suspended and the reference of Senate Bill No. 82 to a committee be dispensed with.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Callahan of Keene the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Brouillette of Manchester the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Brouillette of Manchester for the Committee on Labor, to whom was referred Senate Bill No. 83, An act changing the definition of employer in the laws relative to unemployment compensation, reported the same with the resolution that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Keefe of Dover in the Chair

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wilson of Manchester the rules were suspended to allow the introduction of reports from a committee which had not previously been advertised in the Journal.

Mr. Hunter of Hanover for the Committee on Rules reported the following entitled bill, House Bill No. 469, An

act establishing a commission to raise additional revenue for the State and the cities and towns thereof for flood relief, with the resolution that the bill be referred to the next legislature.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Jones of Lebanon in the Chair

Mr. Hunter of Hanover for the Committee on Rules reported the following entitled bill, House Bill No. 470, An act against profiteering during a disaster, with the resolution that the bill be referred to the next legislature.

The report was accepted and the resolution of the committee adoptd.

Mr. Osborne of Sunapee for the Committee on Rules reported the following entitled bill, House Bill No. 471, An act establishing a commission to raise additional revenue for the State and the cities and towns thereof for flood relief, with the resolution that the bill be referred to the next legislature.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 166, Joint resolution relating to direct relief, with the resolution that the joint resolution be referred to the next legislature.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Sullivan of Berlin moved that the joint resolution be recommitted to the Committee on Rules.

The question being on the motion of Mr. Sullivan.

(Discussion ensued)

The Speaker in the Chair

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the joint resolution be recommitted to the Committee on Rules?

Mr. Ahern of Concord in the Chair

On a *viva voce* vote the motion prevailed.

The Speaker in the Chair

On motion of Mr. Moran of Nashua at 7:40 o'clock the House took a recess for one hour.

(After recess)

The House was called to order.

RESOLUTIONS

Mr. Locke of Amherst presented the following resolutions.

WHEREAS, This House has learned with sorrow of the death of an associate, Benjamin F. McNamee, Representative from the town of Amherst,

Be it resolved, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship and devoted service, and

Be it further resolved, That we extend to the bereaved family our deepest and most sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

HOWARD R. LOCKE,
FRED T. WADLEIGH,
WILLARD P. WOODS,
Committee.

On a *viva voce* vote the resolutions were adopted.

Mr. Hart of Wolfeboro offered the following resolutions.

WHEREAS, This House has learned with sorrow of the passing of Stephen W. Clow of Wolfeboro, an esteemed member of this House for several sessions and,

WHEREAS, Our fellow member during a long and unusually useful life has been an outstanding citizen of distin-

guished service to his native town, his county, his councilor district and the state at large, be it hereby

Resolved, That this house extends its sympathy to his bereaved family and that a copy of these resolutions be sent to them.

H. H. HART,
SCOTT C. W. SIMPSON,
MARK H. WINKLEY,
Committee on Resolutions.

On a *viva voce* vote the resolutions were adopted.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the state damaged or destroyed during the floods of March, 1936.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods.

Amend section 1 of the bill by striking out the word "two" in the first line and substituting in place thereof the word one; so that said section as amended will read:

1. *Appropriation.* A sum not to exceed one hundred thousand dollars is hereby raised, as hereinafter provided, and appropriated for the reconstruction and repair of state, town or city property, other than highways, bridges and culverts, damaged or destroyed during the floods of March,

1936, and for emergency expenditures made by departments of the state government for the protection of life and property during said floods.

On motion of Mr. Hunter of Hanover the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Hunter of Hanover, Osborne of Sunapee, and Perley of Lebanon.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation.

Senate Bill No. 85, An act relating to unemployment compensation.

SENATE BILLS READ AND REFERRED

Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

On motion of Mr. McLean of Plymouth the printing of the bill was dispensed with.

Senate Bill No. 85, An act relating to unemployment compensation.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Wilson of Manchester the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

The bill was then ordered to a third reading.

On motion of Mr. Lambert of Manchester the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

RESOLUTION

Mr. Marden of Holderness offered the following resolution.

WHEREAS, This House has learned with sorrow of the passing of Sheldon E. Ellis of Ashland, an esteemed member of this House,

Be it resolved, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship and devoted service, and

Be it further resolved, That we extend to the bereaved family our deepest and most sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

MARK K. MARDEN,
R. J. McLEAN,
FRANK G. PLASTRIDGE,
Committee.

Mr. Maxham of Concord moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

Mr. Maxham demanded the Yeas and Nays but subsequently withdrew his demand and asked for a division.

A division being taken 35 members voted in the affirmative and 169 members voted in the negative and the motion did not prevail.

Mr. Maxham demanded the Yeas and Nays.

During the calling of the roll Mr. Maxham withdrew his demand.

Mr. Lambert of Manchester moved that the House reconsider its vote whereby it adopted the report of the Committee on Rules on House Bill No. 471, An act establishing a commission to raise additional revenue for the state, cities and towns for flood relief, said report referring the bill to the next Legislature.

On a *viva voce* vote the motion did not prevail.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request of the House of Representatives for a committee of confer-

ence on House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods, and the President had named on the part of the Senate, Senators Cole and Calef.

The House then took a recess.

(After recess)

The House was called to order.

COMMITTEE REPORT

The Committee of Conference recommended that the Senate recede from its position in the adoption of its amendment to House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods, and that the Senate and House of Representatives concur in the adoption of the following amendment:

Amend section 1 of the bill by striking out the words, "two hundred" in the first line and substituting in place thereof the words "one hundred thirty," so that said section as amended shall read as follows:

1. *Appropriation.* A sum not to exceed one hundred thirty thousand dollars is hereby raised, as hereinafter provided, and appropriated for the reconstruction and repair of state, town or city property, other than highways, bridges and culverts, damaged or destroyed during the floods of March 1936 and for emergency expenditures made by departments of the state government for the protection of life and property during said floods.

Amend section 5 of said bill by striking out the words "Two hundred" in the fourth line and substituting in place thereof the words "one hundred thirty", so that said section as amended shall read as follows:

5. *Notes Authorized.* The state treasurer is hereby au-

thorized, under the direction of the governor and council, to borrow from time to time upon the credit of the state, for the purpose of carrying out the provisions of this act, sums not to exceed one hundred thirty thousand dollars in all and for that purpose may issue notes in the name and on behalf of the state of New Hampshire at such rates of interest and dates of maturity, not later than July 1, 1937, as the governor with the advice and consent of the council may approve. Such notes shall be in such form and such denominations as the governor, with the advice and consent of the council, may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes as countersigned by the governor, showing the number and amount of each note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such notes by direction of, and in such manner as, the governor and council deem most advantageous to the state. The proceeds of the sale of such notes shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrant for the payment, from the funds provided for by this act, of all sums expended or due for the purposes herein authorized. Said notes shall be charged against the so-called sinking fund constituted by chapter 126 of the Laws of 1931, and the interest thereon and principal thereof shall be paid therefrom. To the extent that such notes mature at times when there is insufficient money in the said sinking fund to pay such notes they may be extended or refunded as herein provided for original issue provided, however, that in determining the total amount authorized to be borrowed under this

section no account shall be made of duplications due to extensions and/or refundings.

E. H. HUNTER,
J. B. PERLEY,
L. L. OSBORNE,
House Conferees.
WILLIAM M. COLE,
AUSTIN L. CALEF,
Senate Conferees.

On motion of Mr. Jones of Lebanon the report was accepted and the recommendation adopted.

On motion of Mr. Wilson of Manchester the House voted to recall House Joint Resolution No. 166, Joint resolution relating to direct relief, from the committee without a report.

The joint resolution was read a first and second time.

On motion of Mr. Brouillette of Manchester the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with.

Mr. Brouillette of Manchester offered the following amendment.

Amend the resolution by adding the following:

In order to supply the funds needed for carrying out the purposes of this act relative to the State's contribution of fifty per cent for poor relief from November 1, 1935 to July 1, 1936, the State treasurer is hereby authorized in the discretion of the Governor and Council to borrow in such amounts as may be determined by the Governor and Council upon the credit of the State, one million, two hundred thousand dollars, and for that purpose may issue notes in the name of, and on behalf of, the State at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such times as the Governor and Council may determine. Such notes shall be countersigned by the Governor and shall be deemed a pledge of the faith and credit of the State. The secretary of state shall keep an account of all such notes countersigned by the Governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer.

The State treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the Governor and Council in such manner as they may determine most advantageous to the State. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by Chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refunding.

This resolution to take effect upon its passage.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted and the joint resolution ordered to a third reading.

On motion of Mr. Brouillette of Manchester the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Moran of Nashua moved that the House resolve itself into a Committee of the Whole to consider a bill not yet introduced.

The Speaker ruled the motion not in order.

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Osborne of Sunapee for the Committee on Rules reported the following entitled bill, House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted and the bill read a first and second time.

On motion of Mr. Osborne of Sunapee the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Appropriations.

At 12:30 o'clock the House took a recess for 15 minutes.

(After recess)

The House was called to order.

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Osborne of Sunapee the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to recede from its position in the adoption of its amendment and voted to adopt the report of the committee of conference on House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods, and had adopted the amendments proposed by the committee of conference.

RESOLUTION

On motion of Mr. Wilson of Manchester.

Resolved, by the House of Representatives, the Senate concurring, that the present session of the Legislature be

brought to a final adjournment on Tuesday, May 12, 1936, at eleven o'clock in the afternoon and that all reports, bills and joint resolutions pending at that time in either branch of the Legislature be indefinitely postponed.

On motion of Mr. Keefe of Dover the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

At 1 o'clock the House took a recess for 15 minutes.

(After recess)

The House was called to order.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

Amend the resolution by striking out the words "Tuesday, May 12, 1936, at eleven o'clock in the afternoon" and by inserting in lieu thereof the words "Wednesday, May 13, 1936, at two o'clock a. m."; so that the resolution as amended will read as follows:

Resolved, By the House of Representatives the Senate concurring that the present session of the Legislature be brought to a final adjournment on Wednesday, May 13, 1936, at two o'clock a. m., and that all reports, bills and joint resolutions pending at that time in either branch of the Legislature be indefinitely postponed.

On motion of Mr. Wilson of Manchester the House concurred.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 472, An act making appropriation for the special session of the Legislature of 1936.

COMMITTEE REPORT

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 82, An act relating to an interstate bridge authority for the Portsmouth-Kittery bridge and approaches thereto.

Senate Bill No. 85, An act relating to unemployment compensation.

House Bill No. 467, An act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the State damaged or destroyed during the floods of March, 1936.

House Bill No. 468, An act making appropriation for and in aid of reconstruction and repair of public property damaged or destroyed during the floods of March, 1936, and for emergency expenditures for the protection of life and property during said floods.

House Bill No. 472, An act making appropriations for the special session of the Legislature of 1936.

The report was accepted.

MILEAGE ROLL

Mr. Hilton of Keene for the Committee on Mileage presented the following report:

Rockingham County

Auburn, Henry F. Dagan	48
Brentwood, John W. Stevens	76
Candia, Milton R. Stevens	46
Deerfield, Carl M. Fogg	44
Derry, Ernest L. Abbott	54
Derry, George Moody Currier	54
Derry, Oliver H. Hepworth	54
Derry, Walter A. Pillsbury	54
East Kingston, Alvin E. Foss	86

Epping, Jerry L. Thayer 70
Exeter, Corning Benton 86
Exeter, Frank M. Cilley 86
Exeter, Charles C. Russell 86
Exeter, Reginald C. Stevenson 86
Fremont, Austin E. Carlton 70
Greenland, Thomas J. Brackett 104
Hampstead, Adin S. Little 76
Hampton, Herbert Perkins 101
Hampton Falls, Louis B. Janvrin 101
Kingston, James A. Lyford 80
Londonderry, Wesley Adams 58
Newfields, Thomas R. Sheehy 84
Newington, Frederick M. Pickering 92
Newmarket, Leo J. Turcotte 58
North Hampton, Irving W. Marston 106
Northwood, William F. Mudge 38
Plaistow, J. William Peaslee 90
Portsmouth, Andrew J. Barrett 98
Portsmouth, Mary C. Dondero 98
Portsmouth, Patrick J. Kittredge 98
Portsmouth, Charles A. Allen 98
Portsmouth, Richard G. Pray 98
Portsmouth, Fred Garland Tucker 98
Portsmouth, John H. Yeaton 98
Portsmouth, Timothy J. Buckley 98
Portsmouth, James R. McNeil 98
Portsmouth, Simon P. Harmon 98
Portsmouth, Walter S. Abbott 98
Portsmouth, William T. Rose 98
Raymond, Roger E. Eliot 60
Rye, Walter G. Marston 108
Salem, Carl Manor 96
Salem, Leonard B. Peever 96
Seabrook, Elihu T. Adams 104
South Hampton, Rufus B. Floyd 94
Stratham, Marshall S. Chase 94
Windham, Bessie Emerson 74

Strafford County

Barrington, Clarence B. Locke	56
Dover, Thomas H. Keenan	56
Dover, Albert J. Pomerleau	56
Dover, Philias J. Chabot	56
Dover, Patrick J. Durkin	56
Dover, William F. Howard	56
Dover, George W. Garland	56
Dover, Haldimand W. Neal	56
Dover, Carroll E. Hall	56
Dover, Francis Clyde Keefe	56
Dover, Dennis M. McDonough	56
Dover, Edward Durnin	56
Durham, Oren V. Henderson	70
Farmington, William E. Gelinas	88
Farmington, Ernest E. Lefavour	88
Madbury, John S. Elliott	70
Milton, Stanley C. Tanner	94
Rochester, Thomas H. Gotts	74
Rochester, George Y. Emerson	74
Rochester, Dennis E. Brennan	74
Rochester, Rudolph G. Cartier	74
Rochester, Louis S. Bergeron	74
Rochester, Hervey E. Turcotte	74
Rochester, Spencer Dickinson	74
Rochester, Sara E. Greenfield	74
Rochester, Ralph F. Seavey	74
Rollinsford, John M. Tighe	86
Somersworth, Placide J. Lagueux	82
Somersworth, John R. Hodsdon	82
Somersworth, Alfred J. Boucher	82
Somersworth, Frank Deschenes	82
Somersworth, Edward L. Flanagan	82
Somersworth, Thomas P. Robinson	82
Strafford, William J. Elson	56

Belknap County

Alton, Oe Varney	62
Barnstead, Harry E. Little	42

Belmont, Fred H. Piper	42
Gilford, Perry E. Hunt	58
Gilmanton, Ralph G. Page	56
Laconia, Dana S. Beane	46
Laconia, James B. Dodge	46
Laconia, Alfred L. Guay	46
Laconia, Oscar L. Hoyt	46
Laconia, George C. Stafford	46
Laconia, Alfred J. Cantin	46
Laconia, Arthur R. Merrill	46
Laconia, Charles H. Dow	46
Laconia, Charles L. Simpson	46
Meredith, Edward S. Gordon	70
Meredith, William J. Neal	70
New Hampton, Frank C. Plastridge	72
Sanbornton, John S. Wallis	44
Tilton, Arthur K. Smart	36

Carroll County

Bartlett, Scott C. W. Simpson	184
Conway, Burnham B. Davis	158
Conway, Perley W. Mudgett	158
Conway, George W. Russell	158
Effingham, John G. Thompson	130
Jackson, Arthur P. Gale	190
Madison, George A. Lyman	128
Ossipee, Mark H. Winkley	118
Sandwich, Charles B. Hoyt	98
Wakefield, Alden N. Young	102
Wolfeboro, Harold H. Hart	88

Merrimack County

Allenstown, Alcide Courtemanche	14
Andover, Oliver H. Munroe	44
Boscawen, Frank L. Reardon	16
Bow, Ernest W. Morgan	10
Bradford, Paul W. Danforth	52
Canterbury, William C. Tallman	22

Chichester, John L. T. Shaw 18
Concord, Charles P. Coakley 14
Concord, Harry W. Matott 14
Danbury, Stephen J. Ford 62
Dunbarton, Francis H. Buffum 20
Epsom, Edward B. Demers 24
Franklin, Donald J. Piper 38
Franklin, Emile Carignan 38
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Adjustment of 1935 session:

W. A. Reney, Grantham	$96.55
Stanley C. Tanner, Milton	40.00
William R. Granger, West Swanzey	20.00
Lynn M. Gray, Columbia	55.00
Bernadette E. Charois, Greenville	49.50
Bessie Emerson, Windham	25.00
Clarence L. Bailey, Woodsville	108.90
Elihu T. Adams, Seabrook	50.00
Frank N. Keyser, North Haverhill	35.00
George J. Phelan, West Milan	154.99
J. W. Peaslee, Plaistow	25.00
Henry F. Dagan, Auburn	32.32
Burton F. Sanborn, Andover	10.00
George L. Fitts, Chester	45.00
William B. Conner, Sutton	50.00
Milton R. Stevens, Candia	25.00
George W. Kemp, West Concord	15.00
W. J. Yeaton, Benton	140.00
Ansel N. Sanborn, Wakefield	67.50
Alden N. Young, Wakefield	67.50

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The report was accepted.

On motion of Mr. Wilson of Manchester the House adjourned to meet on Wednesday, May 13, at 1:59 o'clock a.m.

WEDNESDAY, MAY 13, 1936.

The House was immediately called to order.

RESOLUTION

On motion of Mr. Wilson of Manchester.

Resolved, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the special session and is ready to receive any communication he may be pleased to make.

The Speaker appointed the following committee: Mr. Wilson of Manchester, Mrs. Mason of Berlin, Mrs. Morris of Lancaster, Messrs. Simpson of Bartlett, Shaw of Chichester, Blood of Concord, Nash of Concord, Cilley of Exeter, Wiswall of Marlborough, and McLean of Plymouth.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following resolution, sent up from the House of Representatives:

Resolved, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the special session and is ready to receive any communication he may be pleased to make, and the President has appointed as members of such committee on the part of the Senate, Senators Doe, Calef, Butler, Knowlton, Manson and Sanborn.

The message also announced that in accordance with the concurrent resolution previously adopted that all bills and joint resolutions pending in either branch of the Legislature on Wednesday, May 13, at 2 o'clock a. m. be indefinitely postponed.

The following resolution was indefinitely postponed, House Joint Resolution No. 166, Joint resolution relating to direct relief.

INDEFINITELY POSTPONED

In accordance with the concurrent resolution previously adopted that all bills and joint resolutions pending in either branch of the Legislature on Wednesday, May 13, at 2 o'clock a. m. be indefinitely postponed.

The following bill was indefinitely postponed.

Senate Bill No. 84, An act changing the rates on contributions to unemployment compensation.

Mr. Wilson of Manchester for the Joint Committee appointed to wait upon His Excellency, the Governor, and inform him that the Legislature had completed its duties, reported that they had attended to their duty and that the Governor informed them that he had a communication to lay before the House.

The report was accepted and immediately His Excellency, H. Styles Bridges, Governor, appeared before the House and delivered the following message.

GOVERNOR'S MESSAGE

I am informed by the joint committee of both branches of the Legislature that you have completed the business of

this special session and are ready to adjourn. The bills that have been passed have already received executive approval and it therefore again becomes my duty to prorogue this body. Before I can make such pronouncement I wish to extend to you the sincere thanks of your Governor and Council and of the people of this State for the splendid service that you have performed here. In my message to you, I summarized in some detail the events which led up to the calling of this special session and called your attention to the duty that confronted us to make provision for the rehabilitation of our roads and bridges in the devastated regions of our State. I expressed the conviction that you would not entail any needless expenditure by a prolonged session yet would provide the necessary legislation embracing a method of raising the revenue required for reconstruction. You have acted with expedition. You have faced the financial problems involved with a courage that reflects great credit on yourself and the people of our State, not leaving it for future generations to devise a method of paying for the catastrophe that we have recently experienced. I sincerely congratulate you one and all. By virtue of the authority vested in me, I do now hereby adjourn the Legislature to the last Wednesday in December in the year of our Lord one thousand nine hundred and thirty-six.

H. STYLES BRIDGES,
Governor.

Thereupon the Speaker declared the House adjourned to the last Wednesday in December, 1936.

HARRIE M. YOUNG,
Clerk.

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